

GLOBALIZATION & ITS EFFECTS ON INDIAN SOCIETY

8

CHAPTER

Structure

- ❖ Objectives
- ❖ Introduction
 1. Understanding Globalization
 2. Differing Interpretations of Globalization
 - David Henderson's View
 - Pieterse's View
 3. The Palpable Effects of Globalization
 4. Historical Perspective of Globalization
 5. Conceptual Aspects of Globalization
 6. Ideological Dimensions of Globalization
- ❖ Americanization
 1. What is Americanization?
 2. Negative Aspects of Americanization
 3. Positive Aspects of Americanization
- ❖ McDonaldization
 1. What is McDonaldization?
 2. Primary Components of McDonaldization
 3. Key Aspects of McDonaldization
 4. McDonaldization as a New Global Culture
 5. McDonaldizing the Workplace
 6. The Downsides of McDonaldization
 7. Globalization: A Dynamic Process
- ❖ Imperatives of the Developing Countries
 1. Debt Trap
 2. Impact of Uruguay Round
 3. The Final Outcome
- ❖ Effect of Globalization
 1. Effect on Economy
 2. Effect on Environment
 3. Effect on Society
 4. Effect on Family System
 5. Effect on Women
 6. Effect on Food Habit

7. Effect on Culture
 8. Effect on Bollywood
 9. Effect on Music
 10. Effect on Technology
- ❖ Negative Effect of Globalization
 1. Effect on Economy
 2. Effect on Society and Culture
 3. Effect on Social Justice
 4. Effect on the Poor
 5. Effect on Education
 6. Effect on Consumers
 - ❖ De-globalization
 1. Understanding the Concept of De-globalization
 2. Principles of De-globalization
 3. Recent Trends of De-globalization
 4. Implications of De-globalization
 - ❖ Summary
 - ❖ UPSC Previous Year Questions
 - Prelims Questions
 - Mains Questions with Approach
 - Prelims/Mains Question Trend Analysis

Objectives

In this chapter, we shall study:

- Meaning of Globalization, Americanization and McDonalidization
- Imperatives of the developing countries
- Positive and negative effects of globalization
- De-globalization

INTRODUCTION

1. UNDERSTANDING GLOBALIZATION

- ❖ Globalisation in its basic form is neither particularly new, nor in general a folly. It is such a complex set of process, which not only restructures the way in which we live but also influences our day to day life activities.
- ❖ It is the process by which the boundary line between different countries became insignificant and the whole world transforms into a group.
- ❖ Globalisation broadly refers to the expansion of the global linkages, the organization of the social life on the global scale and the growth of the global consciousness and hence to the consolidation of the world society.
- ❖ The traditional concept of ancient India known as '**Vashudhaiv kutumbakam**' can be taken to be the starting point of Globalisation in the real sense in which the whole world considered as a family.

2. DIFFERING INTERPRETATIONS OF GLOBALIZATION

The most common interpretations of the globalisation say that the world is becoming more uniform and standardized through a technological, commercial and cultural synchronization coming from the west. These perspectives equate

globalisation with westernization. However, there are some others, who view globalisation as a process of hybridization, which gives rise to global melange.

Theodore Levitt, a former professor at the Harvard Business School credited with coining the term "globalization". Though many believe he didn't coin the term rather he popularized the term and brought it to the mainstream business audience.

David Henderson's View

David Henderson, an economist, views globalisation as a model of fully internationally integrated markets meeting the two conditions of:

- (i) The free movement of goods, services, labour and capital resulting in a single market in inputs and outputs, and
- (ii) Full national treatment for foreign investors as well as nationals working overseas, so that economically speaking there are no foreigners.

Jan Nederveen Pieterse's View

Jan Nederveen Pieterse, a Dutch-born global political economy scholar, calls the contemporary globalisation as accelerated globalisation. According to him current accelerated globalisation comes in a package together with:

- Informatisation, which means the role of information and communication technologies
- Flexibilisation that means changes in production systems towards flexible production, and
- Reconfiguration of states and regionalisation

He views globalization:

- ❖ **As a process** - the growing interconnectedness of different parts of the world;
- ❖ **As awareness** - the recognition of growing interconnectedness (globalisation as subjectivity); and
- ❖ **As a project** - the advocacy and pursuit of particular forms of globalisation and attempts to manage and steer globalisation in a particular direction.

From the above account, it can be concluded that globalisation is a multifaceted, multidimensional and comprehensive phenomenon having its potential impact on a whole range of contemporary social, political, cultural and economic relationships.

In other words, globalisation means "integrating and connecting cultures and communities in new space-time combinations, and 'making the world in reality and in experience more interconnected'".

3. HISTORICAL PERSPECTIVE OF GLOBALIZATION

Some scholars believe that globalisation is not something very new. They are of the opinion that globalisation began long ago with colonization. They say that with colonisation, raw materials from the colonized countries flowed to the colonizing countries, where industrial manufacture was undertaken. The output was then sold in the colonized countries. Colonization linked various continents and brought the world closer.

Other scholars prefer to regard globalisation as speeded up modernization. Modernization is linked to technological inventions and industrial revolution. Colonization, coupled with modernization has brought the world still closer by extending the effects of modernity to the entire world.

Others point out that though globalisation is not totally a new process, and it cannot be equated with colonization or modernization. According to them, the concept of globalisation became current from about the mid-1980s at the end of the bipolar world with the collapse of the USSR and the rise of uncontested and unregulated capitalism, which marked by unprecedented social-political changes in the world scenario. **The world had to readjust itself to this new phenomenon. Hence, there was the Bretton Woods Conference which set forth Structural Adjustment Programme (SAP), the introduction of New Economic Policy (NEP), and liberalisation programmes.** During this time, the eruption of Information Technology (IT), particularly the Internet, also added the intensity of global contracts. People began to migrate to different geographical regions looking for better prospects. All these brought a new global situation seeking a fundamental restructuring of the economic and political arrangements since the industrial revolution giving rise to a kind of global integration beyond the boundaries of nation- states.

According to Thomas L. Friedman, an American political commentator and author "globalisation is the integration of markets, finance and technologies in a way that is shrinking the world from a size medium to a size small and enabling

each of us to reach around the world farther, faster and cheaper than ever before. Like all previous international systems, it is directly or indirectly shaping the domestic politics, economic policies and foreign relations of virtually every country".

Thus, globalisation is a complex multidimensional phenomenon that involves simultaneous and complexly, related processes at all levels of society – economic, political, social, cultural, technological, and environmental and so forth.

4. CONCEPTUAL ASPECTS OF GLOBALIZATION

The process of globalisation had begun in 1970's itself, but it gained maximum momentum in the 1990s. The big Multi National Companies (MNCs) had always wanted to have free access to all markets in the world but were restricted by the protectionist policies of the various countries. They had been pressurising their 'powerful' governments to get the "artificial restrictions" removed and facilitate free flow of capital and goods. Their efforts got a big boost by the sharp rise in consumerism among people of various parts of the world. This rise can be largely attributed to the phenomenal increase in the reach of electronic media through cable network and Internet. Thus, the rise in the demands for foreign goods coupled with the pressure of the developed world through IMF, World Bank, etc. has made various developing societies adopt new economic policies.

Globalisation is historically complex. To identify the meaning of the term is itself a topic in global discussion. It may refer to "real" process, to ideas that justify them or to the way of thinking about them. The term is not neutral and definitions express different assessments of global change. Among critics of capitalism and global inequality, globalisation now has an especially pejorative ring.

In its broadest sense, globalisation refers to the extension of a whole range of economic, cultural and political activities across the world landscape. As Anthony Giddens suggests "Globalisation can be defined as the intensification of worldwide social relations which link the distant localities in such a way that local happenings are shaped by events occurring many miles away and vice versa". In this context, the increasing economic and cultural interdependence of societies on a world scale is of particular interest because it involves interaction in so many areas and at numerous levels, it is virtually impossible to conceive of globalisation as a singular concept.

John Allen and Doreen Massey argues that there are many 'globalisations' occurring in various sectors and fields of activity including telecommunications, finance and culture. A key contributing factors in this regard has been the declining influence of the nation state, which is in turn intimately linked to what David Harvey refers to as "**Time-space compression**". **The way the world has, in effect, been de-territorialized by the acceleration and wider dissemination of capitalist practices simultaneously creating ever-higher level of stress.**

Globalisation is generally understood in terms of two distinct processes:

- Globalisation as a process that has made communication instantaneous and has encouraged people to think in more global terms; and
- Globalisation which tends to combine a market ideology with a corresponding material set of practices drawn from the world of business.

In other words, globalisation does not only refer to an economic system in which international boundaries do not pose unnatural restriction on international trade, it also refers to ideological and cultural globalisation through communication media, computers and satellites. In fact, it is due to the communication media, computers and satellites that the "new" globalisation has come to acquire such features which distinguish it from the old one(s).

5. IDEOLOGICAL DIMENSIONS OF GLOBALISATION

The ideological dimension of globalisation is what has been called triumph of liberalism/capitalism or, what Francis Fukuyama addressed when he talked about the 'end of history'. Lack of an alternative to liberalism gives rise to the view that capitalism is an inevitable world-wide phenomenon. During the cold war era socialism provided a promising alternative modernization path that was steered from above.

Reasons that made socialism attractive were:

- That it aimed at establishing a more just society with regard to distribution;
- That the Soviet Union had no colonizing past (at least not outside Soviet territory) contrary to the leading capitalist countries;
- That socialism itself was considered to be a transgression to communism with a dictatorship of proletariat that legitimized authoritarian governance and failures;

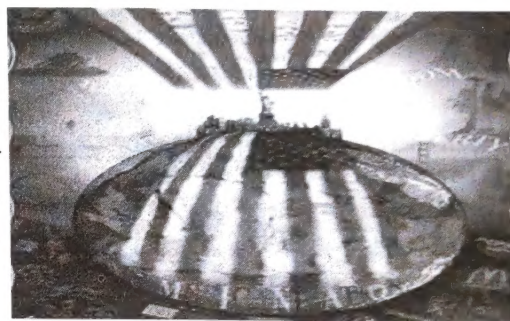
- That the Socialist block provided a counter- power to the capitalist world; and
- That statesmen could outlive their personality cults.

With the collapse of socialism as a suitable alternative to capitalism, the opportunity of the non-western world to take advantages from the cold war by getting military and financial support from either of both sides had also ceased. Instead, as already mentioned in the beginning, the international organizations like World Bank and IMF forced national governments into structural adjustment and deregulation, opening up these countries for western products and capital. No wonder that an anti-western rhetoric grows, because this is seen as an expression of neo-imperialism.

AMERICANIZATION

1. WHAT IS AMERICANIZATION?

'Americanization' is the influence of American culture and business on other countries outside the United States, including their media, cuisine, business practices, popular culture, technology or political techniques. In the United States, the term 'Americanization' refers to the process of acculturation by immigrants or native populations to the American customs and values. The term has been used since at least 1907. The term is often used by critics in the target country who are against such influences.



Americanization of India

Today's Indian youth have more economic opportunities than previous generation. They have access to global communication tools like the internet and aspire to compete with the finest young minds around the world. There's no wonder why Indians today are one of the highest income earning communities in the US and many parts of Europe.

2. NEGATIVE ASPECTS OF AMERICANIZATION

While we provide our youth with international standards of education and economic opportunities, in their rush to mimic the West, India's youth are rapidly becoming "Americanized". They are also victims to the McDonaldization of the world where tastes and preferences are rapidly evolving, some for the better and some for the worse. For instance, in a decade, India's urban youth will begin to face the same problems faced by young people in the West - obesity, depression. 2018 saw a number of cases across the country of depression-led suicide. In addition, the recent global financial crisis was caused due to corporate greed. As we increasingly balance socialism and capitalism in the backdrop of high economic growth, more Indians have greater access to monetary wealth, usually at the cost of moral or ethical values.

This gets further compounded by that fact that many Indian businessmen rarely emphasize on ethical practices, passing on the tradition from one generation to the next. **As a result, corruption is seen very subjectively - "if greasing someone's palm helps my business grow, its alright. But, if someone else does it, they should be punished"**. This is an example of the hypocrisy our youth is subjected to today. What they must realise is that their actions have a direct impact on the poor in India, who continue to find it impossible to penetrate the "system". During 2010's biggest scandal relating to 2G spectrum, young Indian entrepreneurs, who are making India proud in corporate boardrooms, maintained a stoic silence in the debate against crony capitalists or the influence of vested interests driving news media. Speaking out against only the political establishment is not enough. Young entrepreneurs must question corporate integrity as critically as political propriety.

The same applies for the environment. Many people seem passionate enough about environmental issues such as global warming or reducing the consumption of non-biodegradable materials like plastic. While educating the youth about these values should take place in classrooms, the reality is that young people shape their opinions from television, their parents and peer groups.

The major setback of Americanisation is in the field of society and social values. Learning traditional and cultural knowledge soon became the symbol of backwardness. Reciting Bhagwad Gita or understanding cultural philosophies like Nyaya, Visheshika etc. was seen as orthodox and reading Shakespeare and Alexander Dumas became in fashion. Indian's tend to know more about Einstein, Stephen Hawking, Tesla and less about Ramanuja the mathematician, Aryabhata, Charak, Bhaskaracharya etc. Nancy Drew series became popular and cultural value reflecting Panchatantra is less read. Tom and Jerry became a new mode of entertainment and Vikram-Baitaal lost its educational relevance.

Nation's new American-style prosperity is a more complex, and certainly more ambivalent, phenomenon than it first appears. The villages have undeniably grown more prosperous, but they are also more troubled. Abandoned fields and

fallow plantations are indications of a looming agricultural and environmental crisis. Ancient social structures are collapsing under the weight of new money. Bonds of caste and religion and family have frayed; the panchayats, village assemblies made up of elders, have lost their traditional authority. Often, lawlessness and violence step into the vacuum left behind.

Now let us look to other spheres of society and the effects of Americanization of India — which had both tangible and intangible manifestations. The tangible signs included an increase in the availability of American brands; a noticeable surge in the population of American businessmen (and their booming voices) in the corridors of five-star hotels; and, also, a striking use of American idiom and American accents. In outsourcing companies across the country, Indians were being taught to speak more slowly and stretch their O's. Old found themselves turning their head (and wincing a little) when they heard young Indians call their colleagues "dude."

3. POSITIVE ASPECTS OF AMERICANIZATION

But, the intangible evidence of Americanization was even more remarkable. Something had changed the very spirit of the country. The India which was becoming, in many respects, an isolated and dour place of limited opportunity. The country was straitjacketed by its moralistic rejection of capitalism, by a lethargic and often depressive fatalism. Now it is infused with an energy, a can-do ambition and an entrepreneurial spirit. In surveys of global opinion, Indians consistently rank as among the most optimistic people in the world. Bookstores are stacked with titles like "India Arriving," "India Booms" and "The Indian Renaissance." The Pew Global Attitudes Project, which measures opinions across major countries, regularly finds that Indians admire values and attributes typically thought of as American: free-market capitalism, globalisation, even multinational companies. Substantial majorities associate Americans with values like hard work and inventiveness, and even during the Iraq war, India's views of America remained decidedly positive.

India's Americanization has in so many ways been a wonderful thing. It has lifted millions from poverty, and, by seeding ideas of meritocracy and individual attainment into the national imagination. It has begun the process of dismantling an old and often repressive order.

Way Forward

But, the roots of tradition must be preserved and there needs to be the blend of modernity with the tradition. Without roots, the culture and its people meet swift destruction. Thus, we see the rise of tradition to claim its throne within the chaos of Americanisation. We see Ganeshji wallpaper on computer screens and young people visiting Temple or Gurdwara before an interview or any such important event. Online booking of Mata Vaishno Devi Shrine darshans and Chaar-Dhaam packages by tour agencies. This chaos will rest only when there is a balance between modernity and traditions.

McDONALDISATION

1. WHAT IS McDONALDIZATION?

McDonaldization is a by-product of Americanization which is a part of the wider phenomenon of Globalization. The term was first used by Sociologist 'George Ritzer' in his book "The McDonaldization of society". **He explains that it occurs when a culture possesses the characteristics of a fast food restaurant. It is a reconceptualization of rationalization or moving from traditional to rational modes of thoughts and scientific management.**

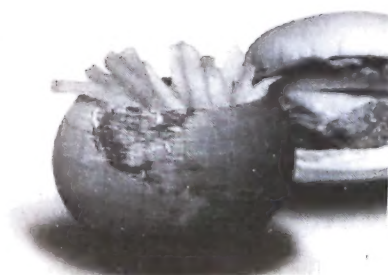
2. PRIMARY COMPONENTS OF McDONALDIZATION

Ritzer while explaining the concept of McDonaldization highlighted the five primary components of it. They are:

- | | | |
|--------------|-----------------|------------------|
| - Efficiency | - Calculability | - Predictability |
| - Control | - Culture | |

3. KEY ASPECTS OF McDONALDIZATION

According to Ritzer, changes within science, economy, and culture have shifted societies away from Weber's bureaucracy to a new social structure and order that he calls McDonaldization. As he explains in his book of the same name, this new economic and social order is defined by four key aspects.



1. Efficiency entails a managerial focus on minimizing the time required to complete individual tasks as well as that required to complete the whole operation or process of production and distribution.
2. Calculability is a focus on quantifiable objectives (counting things) rather than subjective ones (evaluation of quality).
3. Predictability and standardization are found in repetitive and routinized production or service delivery processes and in the consistent output of products or experiences that are identical or close to it (predictability of the consumer experience).
4. Finally, control within McDonaldization is wielded by the management to ensure that workers appear and act the same on a moment-to-moment and daily basis. It also refers to the use of robots and technology to reduce or replace human employees wherever possible.

Ritzer asserts that these characteristics are not only observable in production, work, and in the consumer experience, but that their defining presence in these areas extends as ripple effects through all aspects of social life. McDonaldization affects our values, preferences, goals, and worldviews, our identities, and our social relationships. Further, sociologists recognize that McDonaldization is a global phenomenon, driven by Western corporations, the economic power and cultural dominance of the West, and as such it leads to a global homogenization of economic and social life.

4. McDONALDIZATION AS A NEW GLOBAL CULTURE

McDonaldization a new global culture, en route for transforming the traditional eating practices is now solidifying its roots in India too. The main reason behind its progress is the vast population and its growth, mainly the high percentage of middle class society in India.

Fast foods restaurants are one among them. India has a chain of fast foods (Chinese fast foods) emerged in the recent times, who expected that it would grow in such an advanced manner. Anything that is advanced is first accepted by the society in the same way when fast food emerged, children were not actually allowed to go, sit and eat there, a "social constraint". Even when people started visiting such places, it was enjoyed by a male person only. Women visiting such places are considered as taboo early in society. After sometime, eating in fast food chains became the symbol of development and forward liberal attitude. Children in the schools many times felt ashamed of taking lunchboxes and preferred eating in school canteens. Thus, the processed food made its way into the life of growing children.

Some people who were vegetarian were allowed to have non-veg in the presence of family. Earlier, declaring oneself as a non-vegetarian was like committing sin or like making my family prestige down. But, now things changed with the growth of fast foods, although strictly vegetarianism turned as a non-vegetarian, the society never minds, visiting such places is like a general social habit to many people. We can even find women at fast food these days.

What may be the reason of this sudden change of minds in people. Some of the reasons may be as follows:

- ❖ People started discovering new ways of lifestyle; visiting fast food frequently became one of the parts of life.
- ❖ Benefit is one of the factors that are cheaper cost of food attracts large class of section in the society and also it's fast serving nature which saves time.
- ❖ Increase in knowledge among people.
- ❖ Empowerment of women that is women making way in different dimensions of society.
- ❖ Development of IT sector in India made people to think faster and find ways to finish the work of course in a smarter way.
- ❖ Rich middle class population in India.
- ❖ Blind aping of the west and copying their attitudes without understanding the consequences.

In this way McDonaldization made a way towards modernity in India. Fast foods is one of its concepts the other being McDonalds, KFC, Burger King, Sub Way etc.

Comeback of Indian Endemic Foods

Indian endemic food items such as Samosa, Jelebi, Pakoda, Kahauri etc. made a fighting comeback and even fastfood restaurants has to adapt the flow of globalisation and modernity to the Indian terrain and customs and came out with McAloo Tikki, Paneer Makhani Pizza, Chatpata Chana Patty, Veggie Delite etc. Since 40% of consumers are vegetarian, so McDonald's has developed a menu especially for India with vegetarian selections to suit Indian taste and culture. Keeping in line with this, McDonald's does not offer any beef and pork items in India. So Maharaja Mac replaced Big Mac, which

has chicken patty instead of beef, McAlloo burger, Vegetable Salad sandwich, Mcmasala, and McImli sauces. Also in India, only vegetable oil is used as a cooking medium. Two separate kitchens for vegetarian and non-vegetarian preparations that have separate staff, equipments and utensils for preparation and wrapping items. Employees in the vegetarian and non-vegetarian sections of the restaurants can be identified by the different coloured aprons that they wear.

5. McDONALDISING THE WORKPLACE

According to Ritzer, the McDonaldization of society is a phenomenon that occurs when society, its institutions, and its organizations are adapted to have the same characteristics that are found in fast food chains. These include efficiency, calculability, predictability and standardization, and control.

Ritzer's theory of McDonaldization is an update on classical sociologist Max Weber's theory of how scientific rationality produced bureaucracy, which became the central organizing force of modern societies through much of the twentieth century. According to Weber, modern bureaucracy was defined by hierarchical roles, compartmentalized knowledge and roles, a perceived merit-based system of employment and advancement, and the legal-rationality authority of the rule of law. These characteristics could be observed (and still can be) throughout many aspects of societies around the world.

6. THE DOWNSIDES OF McDONALDIZATION

After laying out how McDonaldization works in the book, Ritzer explains that this narrow focus on rationality actually produces irrationality. He observed, "Most specifically, irrationality means that rational systems are unreasonable systems. By that, I mean that they deny the basic humanity, the human reason, of the people who work within or are served by them." Many have no doubt encountered what Ritzer describes here when the human capacity for reason seems to be not at all present in transactions or experiences that are marred by a rigid adherence to the rules and policies of an organization. Those that work under these conditions often experience them as dehumanizing as well.

This is because McDonaldization does not require a skilled workforce. Focusing on the four key characteristics that produce McDonaldization has eliminated the need for skilled workers. Workers in these conditions engage in repetitive, routinized, highly focused and compartmentalized tasks that are quickly and cheaply taught, and thus easy to replace. This kind of work devalues labor and takes away workers' bargaining power. Sociologists observe that this kind of work has reduced workers' rights and wages in the US and around the world, which is exactly why workers at places like McDonald's and Walmart are leading the fight for a living wage in the U.S. Meanwhile in China, workers who produced iPhones and iPads face similar conditions and struggles.

The characteristics of McDonaldization have crept into the consumer experience too, with free consumer labor folded into the production process.

Sociologists observe the characteristics of McDonaldization in other areas of life, like education and media too, with a clear shift from quality to quantifiable measures over time, standardization and efficiency playing significant roles in both, and control too.

Look around, and you will be surprised to find that you will notice the impacts of McDonaldization throughout your life.

7. GLOBALIZATION: A DYNAMIC PROCESS

In India, as in other parts of the world, people have grown accustomed to the benefits of globalisation. Access to global products, transformation of consumer and business technologies, and falling barriers to trade and travel have redefined life over the last 20-30 years.

Globalisation isn't ending, rather it's changing. What we are witnessing is the emergence of a new global economy, an economy without borders propelled by digital rocket boosters.

Companies that have learnt to thrive in this increasingly connected world have built large global businesses at astonishing speeds. Uber, for example, penetrated more than 80 countries in just six years.

Netflix launched its streaming service in 2010, and has expanded to more than 190 countries in less than seven years, while the augmented-reality game Pokémon Go was being played in over 125 countries and generated nearly \$1 billion in revenue just six months after its launch.

These examples point to business models that operate very differently from the past. During previous phases of globalisation, a country or group of countries emerged as an economic "pole", such as Britain and other maritime powers in

the late 19th century, the US after World War II and China more recently, driving global GDP (gross domestic product) growth and global trade.

Globally shared "rules of the game" were introduced and enforced by institutions such as the World Trade Organization (WTO) and the International Monetary Fund, which were strongly influenced by the Western economies. Global economic growth and free trade took precedence over politics and multilateralism over nationalism.

All this is in a state of flux. Economic nationalism (and protectionism) is growing. WTO data indicates that India and the US rank among the countries with the most number of trade restrictive measures in recent years. **Global Trade Alert reports that in 2016 alone more than 500 discriminatory measures (and only 300 liberalizing measures) were introduced worldwide.**

At the same time, the ability of multilateral institutions to establish and enforce shared rules seems to be weakening and the dominant role of the multilateral financial institutions that traditionally have provided global capital appears to be receding, as new financial institutions, such as China-backed Asian Infrastructure Investment Bank and the New Development Bank, emerge.

Equally profound are the structural changes taking place in the world economy, set in motion by various digital technologies, such as advanced digital manufacturing and global digital platforms.

Advanced digital manufacturing systems ("Industry 4.0"), for example, are enabling businesses to alter their global production and distribution networks by making it feasible to operate smaller, more flexible facilities closer to customers, instead of concentrating production in large plants in countries with low labour costs.

While this is taking place, the global market has been expanding in ways never before imagined, as both traditional companies, such as General Electric, and relative newcomers, such as Uber, Airbnb and India's Flipkart, gain access to borderless global markets through their information technology platforms and networks of local partners.

Together, these shifts are giving rise to a very different kind of globalisation, more-fragmented, with decentralized supply chains and more countries involved.

This creates a host of challenges for global corporations.

The traditional practice of assessing prospective markets on the basis of GDP, per-capita income and market penetration may be obsolete. To recognize opportunities, companies need to look beyond macroeconomic statistics. For companies with the right business models, pockets of opportunity may exist even in slow-growth economies, especially in the rapidly expanding digital marketplace.

The emergence of a new model of globalisation does not mean, of course, that the old ways of engaging with the world will suddenly become irrelevant.

Nor are we at an unprecedented moment; the ebbs and flows of globalisation are nothing new. Each previous wave of globalisation was halted by some crisis, but was then redefined by new technology. And each time, globalisation emerged stronger than ever. The current era is no different.

The precise contours of the new global economy have yet to be defined. We do know this, however: instead of tracking cross-border flows of physical goods, money and people, it is becoming increasingly important to measure connected consumers, communities, devices and machines, and to monitor the flow of data and ideas.

Companies that recognize these underlying shifts, identify the new opportunities and adapt to change are likely to thrive in the new world of globalisation.

EFFECT ON DEVELOPING COUNTRIES

In the current globalisation process, large number of developing countries per force have sought to integrate increasingly with the world economy. A number of imperatives explain the currently witnessed trend.

1. DEBT TRAP

A large number of developing countries are today dependent upon foreign capital flows especially portfolio investment. Among them, a number of countries are faced with a considerably worsened external debt situation. For instance, the external debt of low income developing countries has reached a high of nearly US \$ 70 billion. In the case of middle-income developing countries their external debt volume is estimated around US \$1700 billion. Placed in this

predicament, many developing countries including India have had to seek the support of the International Monetary Fund (IMF) to balance their external payments. **The IMF lending is linked with what are known as "conditionality clauses" which emphasize structural adjustment policies as well as trade liberalization and capital market deregulation.** Given these imperatives, many of the developing countries unilaterally adopted economic policies, which in turn, have forced them to integrate into the world economy.

Also, following the collapse of the Soviet Union, East European countries as well as countries elsewhere including India, which had had substantial trade linkages with the Soviet Union had to seek structural adjustment loans from the IMF and the World Bank. Consequently, they too became subject to the IMF "conditionality clauses" which led to their integration into world economy.

2. IMPACT OF URUGUAY ROUND

Ever since the establishment of the regime of General Agreement on Tariffs and Trade (GATT) in 1947, periodically the signatory member countries negotiated among themselves on a number of issues related to trade and tariff in their international commodity transactions. GATT provided a forum for both the developed and the developing countries to bring to bear the problems they face in their external trade. Developing countries for long have been skeptical of the usefulness of the GATT system and persistent in their demand for special and differential treatment in international trade. It is in these circumstances, the United Nations Conference on Trade and Development through its collective negotiations succeeded in extending what is known as **Generalised**

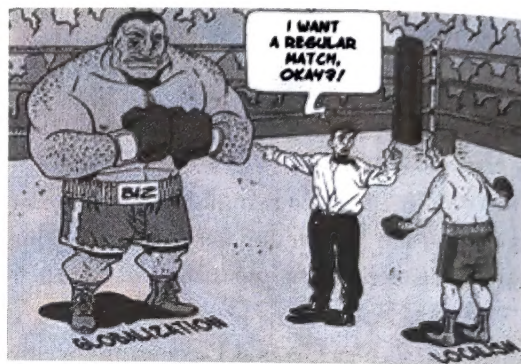
System of preferences (GSP) to the developing countries under which developed countries offer preferential tariffs to selected products of exports from developing countries. Even the GSP was far from satisfactory because a large number of products of interest to the developing countries were not included in the list of products, which received such concessions under GSP. However, in subsequent years the GATT made it possible for the grant of unilateral tariff concession by developed countries to those from the developing countries.

Trade was not the only knotty issue. The flow of foreign direct investment from the developed countries was also hurting the interest of the developing countries, which among other things, it was argued, was undermining the sovereignty of the developing countries of their natural resources. Also, the expected technology transfer did not take place and through transfer pricing they drained the resources of the recipient developing countries. It is under these circumstances that attempts were made under the auspices of the LIN in its Conference on Trade and Development, prepared a code of conduct for the multinational corporations. However, when the developed countries opposed this code, the issue was side tracked.

As pressure mounted from the developing countries seeking a New International Economic Order (NIEO), there was a serious attempt to achieve two basic objectives by the developed countries led by the United States. They related to seeking a fundamental change in the agenda of the developing countries and the then trajectory of the international economic relations largely determined by the developing countries.

It is in these circumstances that the United States, on the basis of its domestic legislation, sought inclusion of services, investment and intellectual property rights to be negotiated under the aegis of GATT. The developing countries obviously were opposed to this on following grounds:

1. They argued that services cannot be brought under the multilateral trade negotiations because GATT's mandate was only to deal with merchandise trade and related tariffs and quotas. Since services are too many and go beyond, they cannot be included for negotiation.
2. They stated that questions relating to intellectual property rights should be the concern of international organizations such as World Intellectual Property Rights and therefore should not be brought under the GATT system. What is more, the developing countries were of the view that they need to develop their own national legislations regarding intellectual property rights before it could be discussed in the international forum.
3. Regarding investment the developing countries asserted that they needed a national approach before subjecting this issue to the scrutiny of GATT.



Notwithstanding their reservations, the developing countries were unable to stall the negotiations. At best they could only postpone negotiations. Two factors can be attributed for their failure - one, lack of cooperation among the developing countries to adopt a common strategy and two, as some of the developing countries were working under pressure from the United States especially with regard to their external debt liabilities.

3. THE FINAL OUTCOME

Despite opposition from the developing countries the Uruguay Round took certain initiatives which altered the course of international economic relations. Issues such as services, intellectual property rights and investments were taken up for negotiations. Legal and technical questions such as whether under the GATT these issues could be negotiated were resolved. For instance, regarding services it was decided that they would be discussed separately and intellectual property rights and investment being linked with trade would have to be discussed under GATT auspices. Added to this the issue of subsidy to agriculture was also brought under negotiations in the GATT. **Thus, under the Uruguay Round international economic relations took a new and different direction, prompted by the forces of globalisation led by the developed countries.** By the time the Uruguay Round was ending the collapse of the Soviet Union finally nailed any hope of building an alternative trajectory in respect of international economic relations from the perspective of the developing countries. The compliance of Russia and Eastern European countries to join the mainstream by seeking admission to IMF and World Bank and their efforts to integrate themselves with the world trade system reduced further any prospects of a world system that would protect and safeguard the interests of the developing countries.

EFFECT OF GLOBALIZATION

1. EFFECT ON ECONOMY

No discussion on social change in the twenty-first century can take place without some reference to globalisation. Economics may be dealing more with the economic dimensions such as capital flows. Political science may focus on the changing role of governments. However, the very process of globalisation is so far-reaching that disciplines have to increasingly borrow from each other to understand both the causes and consequences of globalisation.



With the opening up of the market and removal of restrictions to the import of many products we have many more products from different corners of the world in our neighbourhood shops. Since April 1, 2001, all types of quantitative restrictions (QR) on imports were withdrawn. It is no surprise now to find a Chinese pear, an Australian apple vying for attention in the local fruit stall. The neighbourhood store also has Australian orange juice and ready to fry chips in frozen packets. What we eat and drink at home with our family and friends slowly changes. The same set of policy changes affects consumers and producers differently. What may mean greater choices for the urban, affluent consumer may mean a crisis of livelihood for a farmer. These changes are personal because they affect individuals' lives and lifestyles. They are obviously also linked to public policies adopted by the government and its agreement with the World Trade Organisation (WTO). Likewise macro policy changes have meant that instead of one television channel we have literally scores today. **The dramatic changes in the media are perhaps the most visible effect of globalisation.**

The effect of globalisation is far reaching. It affects us all but affects us differently. Thus, while for some it may mean new opportunities, for others the loss of livelihood. Women silk spinners and twisters of Bihar lost their jobs once the Chinese and Korean silk yarn entered the market. Weavers and consumers prefer this yarn as it is somewhat cheaper and has a shine. Similar displacements have come with the entry of large fishing vessels into Indian waters. These vessels take away the fish that used to be earlier collected by Indian fishing vessels. The livelihood of women fish sorters, dryers, vendors and net makers thereby get affected. In Gujarat, women gum collectors, who were picking from the 'julifera' (Baval trees),

lost their employment due to the import of cheaper gum from Sudan. In almost all cities of India, the rag pickers lost some of their employment due to import of waste paper from developed countries.

It is obvious that globalisation is of great social significance. But, as we have seen its impact on different sections of society is very different. There are, therefore, sharply divided views about the impact of globalisation regarding its effect. Some believe that it is necessary to herald a better world. Others fear that the impact of globalisation on different sections of people is vastly different.

- (a) **Policy of Liberalisation:** The Economic theory relates globalisation to the model of a free world market without restriction of competition and mobility, a global mass culture and a world-encompassing information society. According to neo-liberal thinking, the world market efficiently fulfils its allocation function to guide flows of goods, services, capital information and labour to that places wherever they are needed. Transnational competition, processes of selection and fit enough to scale will single out those enterprises that are not fit enough to survive. Consumers benefit from this competitive market by availability of products at low prices. **This approach shows that the neo-liberal market model of domestic economy has simply been shifted to the world market level.**

In India we often use the terms liberalisation and globalisation. They are indeed related but are not the same. In India we know that how the state decided to bring some changes in its economic policy in 1991. These changes are termed as liberalisation policies. Globalisation involves a stretching of social and economic relationships throughout the world. This stretching is pushed by certain economic policies. Very broadly this process in India is termed liberalisation. The term liberalisation refers to a range of policy decisions that the Indian state took since 1991 to open up the Indian economy to the world market. This marked a break with an earlier stated policy of the government to have a greater control over the economy. The state after independence had put in place a large number of laws that ensured that the Indian market and Indian indigenous business were protected from competition of the wider world. The underlying assumption of such a policy was that an erstwhile colonial country would be at a disadvantage in a free market situation. The state also believed that the market alone would not be able to look after all the welfare of the people, particularly its disadvantaged sections. It was felt that the state had an important role to play for the welfare of the people. Liberalisation of the economy meant the steady removal of the rules that regulated Indian trade and finance regulations. These measures are also described as economic reforms.

- (b) **Privatisation:** Privatisation largely means selling of public owned assets to private ownership by stages. Privatisation can be done using any or all of the following techniques:

- Public offering of shares - All or part of the shares of public limited company are offered for sale to the public.
- Private sale of shares - All or part of the state-owned enterprise is sold to private individual or a group of purchasers.
- Sale of government or state enterprises' assets as private sale instead of shares.
- Reorganisation or fragmentation of subsidiary units of a company.

- (c) **Foreign Direct Investment (FDI):** Foreign Direct Investment (FDI) is money invested in production by a foreign party rewarded with part-ownership of production. **Of the three important aspects of liberalisation - finance, trade and investment - financial liberalisation has been the most pronounced.** During this globalisation era, there has been progressive and extensive liberalisation of controls on financial flows and markets leading to economic globalisation. **Economic globalisation and financial liberalisation centres on the movement of capital of which FDI was a major form.**

FDI remained mainly market-driven and they dominated service sector. However, the flow of FDI even among developing nations was not uniform. Much of this FDI has centred on only a few developing countries. Least developed countries in particular were receiving only very small FDI despite having liberalised their policies.

FDI in India is permitted under the following forms of investments:

- Through financial collaboration.
- Through joint ventures and technical collaboration.
- Through the capital market via Euro issues.
- Through private placements or preferential allotment.

- (d) **The transnational corporations:** Among the many economic factors driving globalisation, the role of transnational corporations (TNCs) is particularly important. **TNCs are companies that produce goods or market services in more than one country.** These may be relatively small firms with one or two factories outside the country in which they are based. They could also be gigantic international ones whose operations crisscross the globe. **Some of the biggest TNCs are companies known all around the world: Coca Cola, General Motors, Colgate-Palmolive, Kodak, Toyota and many others.** They are oriented to the global markets and global profits even if they have a clear national base. Some Indian corporations are also becoming transnational.
- (e) **Infrastructure Development:** India needed massive investments in road building, development of port facilities and in power and telecommunications sector to attract more and more foreign trade. In 12th Five Year Plan the Indian government estimated a total spending of 1000 billion dollars over the next one decade in infrastructure development. To meet this requirement, the government would draw funds from the private sector and from overseas investors.

2. EFFECT ON ENVIRONMENT

The Environmental dimension of globalisation refers to the world being a highly fragile ecological system. An imbalance will cause effects on both local and global levels. This dimension is an outcome of reflexivity of late modernity. People have realized that technical progress and production of risk for the environment are closely related to each other. As Niklas Luhmann argues, risk itself is a product of modernity. In pre-modern times, all what happened was explained by fortune and destiny – the will of supernatural powers – but not caused by mankind. The changes of the middle ages were external in nature: enemies, animals, weather, gods and demons. Enlightenment that replaced God by reasons, engendered a self-responsibility of man. The world became man-made and future could be planned and formed and aimed to be better than the past. The belief in economic and technical progress became one of the key issues of modernity. In addition to wars, the coming industrial age engendered risk that were related to people's occupations (occupational diseases) and lack of work and environmental protection. The risks, however, were mainly local. Those suffered who had such an occupation or who lived in the close neighborhood of certain industries.

According to Ulrich Beck, who calls the contemporary western societies risk societies, global risk are quite different. Western people and educated people in non-western societies are aware of these risk due to reflexivity of modernity, spread of information by news and Internet, scientific warning, ecological movements and first visible effects on the globe like changing weather conditions. We know about global warming and greenhouse effect. Since Bhopal and Chernobyl, we are aware of the danger of poison gas factories and nuclear power stations. But, changes in pollution outputs or consumption of non-renewable resources, particularly in the most advanced industrial societies having a disproportionate share of energy consumption, are too slow. The severe problem of global risks is that they cause enormous, cumulated effects on the entire globe.

While the risks of industrial society were mainly class-specific (money had an upward mobility, risk had a downward mobility), Beck believes that global risks have an equalizing effect. They are usually beyond our immediate recognition (feeling, seeing, tasting), but they are nevertheless in our surrounding (air, water, food, etc.) and have caused a latent feeling of insecurity. Ecology and economy seem to contradict each other. Producers of these risks externalized the costs.

3. EFFECT ON SOCIETY

The social dimension of globalisation refers to the impact of globalisation on the life and work of people, on their families and their societies. Concerns and issues are often raised about the impact of globalisation on employment, working conditions, income and social protection. Beyond the world of work, the social dimension encompasses security, culture and identity, inclusion or exclusion and the cohesiveness of families and communities etc.

- (a) **Migration and Urbanisation:** Migration is not a new phenomenon. People have always left their homes in search of better economic opportunities, both within and outside their own homeland. But, the current pace of economic globalisation has put a new spin on global migration, causing global uprootedness and human displacement on an unprecedented scale.

Urbanisation is an important driving force for commuting because urban areas offer many economic opportunities to rural people. Urban labour markets offer opportunities to switch jobs rapidly, diversify incomes, and become upwardly mobile with a very low asset base and skills although there is a lot of variation in the rate of urbanisation

around the world. Economic growth based on the expansion of manufacturing industry, a trade mark of current globalisation, tends to be associated with higher rates of urbanisation while growth based on the expansion of agriculture is associated with the reverse. There is also evidence that in India, people move away from farming sector due to macro-economic reforms where reduction of subsidies and removal of inter-district movements of grains have put smaller farmers out of business. In such cases the option before them is to migrate to places where there are better economic opportunities.

- (b) **Unsustainable Development Practices:** The development practices followed the world over during the globalisation era marked by a high level of market competitiveness often seemed to follow unsustainable development practices. For instance, in India the replacement of native seeds by imported hybrid seeds or cash crops resulted in more and more exploitation of ground water through tube-wells since these crops need more water. The over exploitation of the groundwater in turn resulted in the depletion of ground water level leading to famines and poverty. The high yielding hybrid seeds are vulnerable to pest attacks resulting in more use of pesticides. The indiscriminate use of chemical-based fertilizers, especially subsidised fertilizer, has created an imbalance between the essential mineral contents such as Nitrogen and Potassium. There is a growing realisation of the degradation of land, water and environment due to the current pattern of agricultural production and its sustainability among the people. The export oriented policy of the Indian government in the fisheries sector opened up the waters of the Exclusive Economic Zone to MNCs for fish trawling. This resulted in the indiscriminate destruction of the marine eco system and the livelihood of the traditional fishing community.
- (c) **Commercialisation of Indigenous Knowledge:** The globalisation process invades territories, habitats and resources of indigenous people, which may lead to destruction of their way of life. Big corporate entities get access to indigenous knowledge and patent it for their gain and profit. The result can be that the indigenous people and the rest of the humanity will have to pay for access to the knowledge that will thus have been commercialised. Big corporations of United States of America are monopolizing the use of seed, medicines and traditional knowledge systems. This results in environmental devastation, social displacement, wiping out of cultural and biological diversity.
- (d) **Reduction in Public Expenditure:** The reduction in the government's economic role reflected in a decline in the public spending. The state moving away from economic planning and leaving economic decisions to the market has result in the withdrawal of social protection to the public. In India the social sector expenditure as a proportion to GDP had been stagnant in the 1990s and there had been a definite shift away from rural development. The share of health expenditure had been stagnant and that of education had been declining. The government is further trying to reduce the size of current expenditure by reducing expenditure on pensions, subsidies etc.

Social Dumping

The industrial countries often accuse the governments of less developed countries of practicing "social dumping" in the sense of maintaining an underdeveloped welfare state to create a competitive cost advantage for their own industries. In particular they argue that the less developed countries deliberately neglect legislation for good social standards in terms of social fringe benefits, protection against injuries, pension schemes, co-determination rights and the like. To stop the seemingly unfair competition resulting from social dumping, they postulate an international harmonisation of social conditions and sometimes they even advocate retaliatory trade restrictions to enforce harmonisation. For example restricting the import of carpets from India that are made by child labour. But at times the developed countries take it as a tool to restrict import from less developed countries where labor is comparatively cheap and hence the production cost, which enables the less developed countries to take over the market in developed countries with comparatively lesser priced products.

- (e) **Labour Reforms:** Labour market deregulation has been an important feature of the structural adjustment programme enforced by IMF. Such deregulation has been based on the belief that excessive government intervention in the labour market through measures such as public sector wage and employment policies, minimum wage fixing, and employment security rules is a serious impediment to adjustment and should therefore be removed or relaxed. States around the world has felt compelled to ease labour standards, modify tax regulations and generally relax standards of security and oversight in the bid to attract more and more FDI. This progressively lowered labour standards. The big corporate companies like TNCs and MNCs have evolved a vendor system of subcontracting for their production. The companies give out their work to labourers, through contractors, who in turn deliver the output to the company. This results in job insecurity of the labourer and worsening of labour welfare since there is no checking system for their welfare.

- (f) **Informalisation of Labour:** The current pace of globalisation also results in casualisation or informalisation of the work force causing low wages for labourers and less job security, although it created employment opportunities to some of the work force. The growth of the informal sector means that the traditional employment related benefits and mechanisms of protection are not available to those employed in this sector. Increased mechanisation and use of new technology demand more skilled labour and displace unskilled labour. The new technologies and fast changing market-the resultant features of globalisation-also tend to make existing skills obsolete and require upgradation, new skills and multi-skilling. It also opens up new markets, which workers can reach by adapting existing or traditional skills.
- (g) **Feminisation of Labour:** Women have entered the labour force in large numbers in countries that have embraced liberal economic policies. Industrialisation in the context of globalisation is as much female-led as it is export-led (UN 1999). The overall economic activity rate of women for the age group 20-54 approached 70% in 1996. Investors have demonstrated a preference for women in the soft industries such as apparel, shoe and toy-making, data processing, semiconductor assembling industries that require unskilled to semi-skilled labour. Nevertheless, this did not ensure a better status for women in any way. The informal sector where women were absorbed in large numbers along with globalisation offer very poor labour conditions. Such industries where women were mostly engaged happened to be highly labour intensive, service oriented and poorly paid. In many countries, workers in the export processing zones find unionisation and collective bargaining nearly impossible. In call centres in India, women comprise an estimated 40% of the workforce.

4. EFFECT ON FAMILY SYSTEM

Family is the vital primary group of all forms of human groups. Most striking feature of Indian family system is the existence of joint family system. In a joint family not only parents and children but their brothers and sisters also live in the common household. Sometimes, it may include ascendants and collaterals up to many generations. The joint family in India exhibits certain features like largeness in size, owning of joint property, sharing of common residence, practising of common religion and mutual rights and obligations.

Traditionally, in India, the basic unit of society was not individual but the joint family. Ever since independence, Indian Society has undergone and continues to undergo great change in every walk of life. By enacting number of laws an attempt is made to change social, working and living conditions of people.

The impact of globalisation on Indian family can be viewed in two different ways. Some argues that in the era of economic restructuring the institution of family is emerging as a much stronger institution than ever before; others argue that family is becoming gradually weak due to globalisation and individualism is growing up.

Another striking impact is a gradual change that took place in the family structure from joint/extended families to nuclear family pattern. The small or nuclear families almost all have replaced the joint family. One can hardly find any joint family in the urban India. The traditional authority structure i.e. head of the family i.e. father / grandfather/karta started losing his authority to the bread winner of the family. Even within the nuclear family one can witness the changing marital roles and distributions of power. Total subordination of women to men and strict disciplinarian / hitlarian role of father towards children are also changing. Younger generation, particularly those with higher education and jobs, no longer believe in total surrender of their individual interests to family interest. The individualism is increasing even within the family structure. The increasing costs of education, health services and new job opportunities opened up for the women outside the house once again brought the role of family into question. **Currently, India is one of the rapidly changing societies and appears to be in forefront to follow and adopt western styles of family life.**

There have been adverse effect of globalisation in maintaining ties between the members. In the present stage, the close mutual and cordial relations that were existent in the family during the past have been replaced by formal relationships that have gained primary importance, as people find less time in maintaining relations. The function in regard to marriage rituals, procedures have also seen changes. There has also been slight change in the attitude of the people of this community in regard to widow remarriage and divorce. The people have agreed to it that widow remarriage and the marriage of a divorcee becomes important as the women gets support and companionship for the rest of her life. It too apply in regard to divorce, they agree that it can also be implemented or practiced to keep the family tension free and have a conducive ambience inside it.

Modernization has replaced tradition, influence of information revolution, increasing importance of money, impact of modern education and impact of western education, culture & ideology have caused tremendous changes in family structure in this community. There has been lessening of mutuality and cordiality in relationship in the family. In the caste system, prohibitions are still existed but there has been some leniency in it. Rather, it is not strictly practiced. Inhibitions and certain prohibition in regard to profession and food habits are not followed so strictly while inhibitions in marriage (except prohibitions) are still followed.

Social change is an ongoing concept and it continues forever. The family system is primarily a relationship between human beings. It is changed by the economic, technological and political developments. But, the institution itself also reacts to such changes and adapt to the changing needs of the society. It is in the transition phase of the society and the way it responds to the overtures of globalisation, is yet to be seen.

5. EFFECT ON WOMEN

Globalisation affects different groups of women in different places in different ways. On the one hand it may create new opportunities for women to be forerunners in economic and social progress. With the advent of global communication networks and cross-cultural exchange there seems to be a change in the status of women albeit not to a very large extent. However, globalisation has indeed promoted ideas and norms of equality for women that have brought about awareness and acted as a catalyst in their struggle for equitable rights and opportunities. On the other hand it may exacerbate gender inequality in a patriarchal society, especially in the developing world. In the economic realm it may lead to further marginalisation of women in the informal labour sector or impoverishment through loss of traditional sources of income.

Women in the urban settings have become more independent and self-reliant. The lower middle class is experiencing a shift in the way family relations worked. Traditionally women stayed at home taking care of domestic needs and children. Now, most of the women are setting out of their private spaces to earn a living. Globalisation has created certain needs based on capitalist sentiments. Advertising everyday reinforces new needs and creates a vicarious lust for more and more consumer good in the masses. This has resulted in families desiring more household income to be able to afford these items. Therefore, the women need to work and contribute to the household income to afford a certain lifestyle.

The women in rural settings have been influenced by globalisation through media and through numerous intervention programs –non-profit organizations- that are constantly investing in women's issues in big way. These NGOs are creating awareness and proposing ways of change. The women are increasingly empowered and are stronger than before. This change is not universal and does not happen in any particular pattern. Hence, we can observe pockets of changes due to efforts of a few.

Positive Impact of Globalization on Women

There has been a progressive change towards Americanization. TV and media are influenced by pop culture. Globalisation means more liberalization because India is pretty conservative. We really see the changes in the metropolitan areas. People's moral attitudes have become more relaxed, if not lax. Globalisation has relaxed moral attitudes. Smoking and drinking is more accepted for women, so much to the point that such behaviour by women has become a symbol of empowerment. There has also been an increased emphasis on women's rights at the grass roots level. There has been a shift towards some women becoming more traditional in their dress and language, while at the same time, they are progressing toward empowerment. Other women, empower themselves by becoming more Western in their style of dress. Dating is also more acceptable, depending on the parents. Women have to work so much harder to get an equal standing in society, and their credibility is constantly questioned. We are still dealing with getting females in school and eradicating female infanticide. Contraception use is still an issue as well.

On the other side, there are some upsides which comes with globalisation. Globalisation has opened up broader communication lines and brought more companies as well as different worldwide organizations into India. This provides opportunities for not only workingmen, but also women, who are becoming a larger part of the workforce. With new jobs for women, there are opportunities for higher pay, which raises self-confidence and brings about independence. This, in turn, can promote equality between the sexes, something that Indian women have been struggling with their entire lives. Globalisation has the power to uproot the traditional views towards women so they can take an equal stance in society.

Negative Impact of Globalization on Women

Globalisation has had adverse effects on women especially in the developing countries. As consumers, women are increasingly facing a consumer culture which reduces them to commodities and as producers, women are exposed to

exploitation and occupational hazards. Owing to their many roles, as would-be mothers, as mothers responsible for the health of their children and families, as working women at home and outside they are major consumers of healthcare products. In recent years a serious issue has come to light where many products related to women's health, found to be dangerous and banned or restricted in the developed countries, were marketed in the developing countries. Transnational Corporations (TNCs) see the developing world as a convenient dumping ground for these products and medicines. Of late many TNCs have located some of their manufacturing plants and industries in the developing countries due to the easy availability of cheap labour. As producers also women have to suffer exploitation in terms of low wages, poor working environment, instability of employment, and denial of right to representation.

Globalisation has had negative implications for Indian women. Their plights are similar to those of women in other developing regions such as Africa and Asia. Globalisation has made many international corporations richer by the billions. However, what most people are not aware of is that women in these developing countries are suffering enormously due to this expansion of corporate empires. **According to estimates from World Development Indicators, "Women work two thirds of the world's working hours, produce half of the world's food, but earn only ten per cent of the world's income, and own less than one per cent of the world's property."**

Critics of liberalisation argue that following the World Trade Organisation regulations the states have brought about a change in national policies so as to allow the free entry of foreign corporations, to give more incentives to big businesses rather than to small firms, and to lift import controls on agricultural products. This has resulted in further marginalisation of rural and indigenous women. Globalisation has also increased women's unpaid work as social services are privatised.

The emergence of a global market, with its associated policies of privatization, "stabilization", and liberalization, has led to the setting up of smaller new industries with highly flexible organization and simple infrastructure in developing countries. Closely related to this "in formalization" of work is the feminization of work. Labor-intensive industries move to developing countries where women are the preferred labor force, because they can be hired at a low wage. Jobs become available for women, but only as unorganized laborers with no right to form unions or fight for their basic rights: the situation of women working in the garment industry is a case in point. Low-skilled jobs with low wages, long hours of work and lack of job security are typical of the feminization of labor in unorganized sectors. The state generally supports the management and ignores any violation of the labor laws. It is clear that the women are being exploited, but they may not raise their voices – not even against the sexual harassment they may face in the work place.

Way Forward

Thus, no doubt there are some redeeming features of the economic reform process like reduced role of the state in forestry and greater and easier access to international markets for poor women's products. But, in the long run it is imperative to manage and mitigate the negative consequences of liberalisation and mechanisation by enhancing women's skills and innovations as well as developing insurance cover so as to minimise the risks they endure. This calls for direct interventions so as not to marginalise a very important section of society in the race for economic development and empowerment.

6. EFFECT ON FOOD HABITS

Globalisation has changed different aspects of the Indian society in the last two decades, including the food habits of the Indian people. Indians, currently in their late 30s, used to ask their parents to buy 'bhel', 'jhal-muri' or 'mumphali' for them during their childhood. Times have changed and multinational fast food chains become quite familiar with the younger generation. Now-a-days, the young people prefer burgers, hot dogs, fried chickens, momos etc. They like to hang out in decorative and air-conditioned environment with variety of foods on their plates, with the growing number of food restaurant chains offering different recipes at comparatively 'cheaper' rates. The era of "chupan chupai" and 'barf-gola' are little but unknown to the generation of PSP and XBOX gaming consoles.

Food globalisation has a considerable influence on food choices and health throughout the world. The availability of fast foods and other food sources has increased over the last decade in many countries upon the completion of the negotiations of the Free Trade Agreement with 20 countries. This agreement allows food importers and exporters to sell and exchange food products freely, with lower tariffs and taxes.

At first sight, the link between globalisation and food intake appears to be rather remote. However, its influence can be substantially high, although it works mostly through employment, incomes, prices and the market influence on food preferences. Globalisation means bringing the domestic economy closer to the international economy in many ways. It is a consequence of liberalization and decontrol. The rationale behind liberalization and globalisation was to bring competition

and efficiency into the economy. They are part of structural reforms. Change in the existing structure is expected to contribute to efficiency in the long term and lead to absorption of labour, increase in incomes and overall prosperity.

The impacts of globalisation differ from country to country, and between and within communities, depending upon the losers and winners in the process of change. It is difficult to trace these impacts in a sequential manner and to apportion total impacts between globalisation and other forces at work in the economy. Reasons for the sedentary lifestyles of middle-class and upper-class urban workers, and deterioration of the low income diets of rural migrants can be found elsewhere in the pattern of economic growth, not necessarily related to globalisation.

Imports of food such as cereals and cereal products, cashew nuts and edible oils have increased since globalisation began. The imports of many food items were liberalized by putting them on "open general licensing", which does not require permission from the government. Import duties were reduced to negligible or zero levels on many food items.

As incomes go up, the food basket becomes more diversified. Cereal consumption decreases and the consumption of other foods increases. Even though people spend a smaller share of their income on food, they spend more in absolute terms. The urban food basket is the most diversified. Urban people consume fewer cereals and more of other items. Protective foods such as pulses, fruit and vegetables, milk, eggs and meat (including mutton) are easily available in the urban environment. If prosperity arising from economic growth and the influence of globalisation were positive, then we would expect a more balanced diet away from cereals and towards protective high-protein foods, vegetables and fruit at the average level. **Differences between prosperous states such as Delhi, Punjab and Haryana on the one hand and underprivileged states such as Orissa and Bihar on the other capture the impact of globalisation on the consumption pattern.**

Increased urbanisation has seen the rise of the middle classes and it is predominantly the lifestyle preferences of this group that mark a change with the past. Moreover, economic growth alters the structure of the labour force in urban areas characterised by increased female participation with important consequences for the family diet. As more women enter the labour force, the traditional role of the Indian housewife to be in charge of food preparation is eroding. Whilst women may still have prime responsibility for providing the daily meals, the nature of these meals may change. The consumption of readymade meals, or foods that cut the long preparation time of traditional dishes, are likely to be a predominant feature of the diet for families where there is a high female participation rate. Chapati-mixes for example can be likened to the availability of ready-made bread mixes in developed countries. Both are designed to appeal to women whose opportunity cost of time is high. Moreover, working couples with no children may enjoy on average higher disposable incomes and are thus likely to consume food outside the home on a regular basis.

It should be noted that whilst the emergence of the nuclear family is growing, India is still far from having the same numbers of two-income families that characterise labour markets of developed nations. With further increases in economic growth and greater integration in the global market, this may change more rapidly and consequently, we may see an even stronger upward shift in demand for convenience processed food.

Eating outside the home is one of the major changes observed during the last decade. Factors such as distances within larger cities, women entering the workforce and government programmes giving food assistance to both preschool and school-age children, reinforce the pattern of eating at least some meals away from home. Decisions about what family members eat are now in the hands of restaurants, fast food chains and catering services. The choice of foods on offer should be balanced by nutritional guidelines, although managerial and economic realities should also be considered. With increasing numbers of people living in cities, city boundaries can either expand, or the fixed areas become more densely populated.

Increased economic growth not only brings about divergences in the diets between different socio-economic groups but also across the age divide. Food preferences of older age groups tend to be relatively static over time. Where there is increased income for consumption, food preferences still tend to remain within an identifiable traditional boundary. Whilst there may be increased expenditure on superior foods, these tend to be prepared according to long-standing customs and practices. Younger generations are more influenced by new foods particularly when these are introduced through an advertising campaign that targets the group specifically. The divergence between the dietary habits of young and old tends to persist over a long-time horizon if not indefinitely.

A critical implication of globalisation is the severing of the link between diets and the local availability of resources and local habits. In the second stage of diet globalisation in particular, consumers have access to varieties of food that were not previously available to them. Thus, consumers are no longer constrained in their demand to purchasing local produce. The process of diet globalisation is clearly assisted by the globalisation of the media. The proliferation of global

entertainment through popular television programmes or block-buster movies, permits the wide-scale advertising of global products. Both McDonalds, Coca-Cola and Pepsi have been able to broaden their appeal by linking their products either to specific films etc or personalities. Sports events that have global coverage are often sponsored by these big name food brands too. This has huge appeal particularly for the young market. The internet has broadened the advertising possibilities for these larger food companies.

Problems of Unbalanced Diet

Nutritional problems can occur across all expenditure classes for both rich and poor when diets are unbalanced. The risk for those with protein calorie malnourishment is higher than for others. Protein-energy malnutrition can impair the immune system, leaving malnourished children less able to battle common diseases such as measles and diarrhoea. Unbalanced diets lead to many deficiencies and result in growth disorders. Undernutrition that occurs during childhood, adolescence and pregnancy has an additive negative impact on the birth weight of infants. These infants are more likely to be underweight or stunted in early life. Undernutrition in early childhood has serious consequences. Underweight children tend to have more severe illnesses, including diarrhoea and pneumonia.

National Efforts to Address Issues of Under-nutrition

A wide spectrum of national programmes contribute to improved nutrition outcomes, addressing both the immediate and the underlying determinants of undernutrition through nutrition specific and nutrition sensitive interventions. These include the Integrated Child Development Services, National Health Mission- including RMNCH + A, Janani Suraksha Yojana, Swachh Bharat including Sanitation and the National Rural Drinking Water Programme, Matritva Sahyog Yojana, SABLA for adolescent girls, Mid Day Meals Scheme, Targeted Public Distribution System, National Food Security Mission, Mahatma Gandhi National Rural Employment Guarantee Scheme and the National Rural Livelihood Mission among others.

7. EFFECT ON CULTURE

Globalisation has a profound effect on all our cultures and on the ways we live our lives. It has affected what we eat and the way we prepare our food, what we wear and the materials from which our clothing is made, it has affected the music we hear, the books we read, even the language we use to communicate with others. **Globalisation has made certain languages extinct (dead language) or dying, for example, Latin.** At the same time, more people today are bilingual or multi-lingual than ever before. English, though in variant forms (e.g., British English, American English, Indian English) has become the lingua franca and the number of English speakers throughout the world is growing rapidly.

- (a) **Homogenization of Culture:** Today the whole world is wired and plugged into the same TV programmes, movies, news, music, lifestyles and entertainment. Satellite cables, phones, Walkman, VCDs, DVDs and retail giants and other marvels and wonders of entertainment technology are creating the mass marketing of culture and expansion of consumer culture. This may lead to a homogenised global culture. It has also resulted in the emergence of global mass culture due to the increase in consumerism. It may make for increasing similarities in life styles around the world evading local cultural heritage.

The contemporary global communication technologies lead to a globalisation of culture, which undermine the meaning of community and traditional institutions and values of life. For example, in India it has ended the tradition of storytelling through which the old handed over their experience, culture, traditions, oral history and way of life to the young who had a sense of place and their roots. Likewise the computers become the substitute for human interactions.

Our own culture is being systematically appropriated and "commodified". Folk and tribal festivals are being packaged and marketed through electronic media, plucked out of context and cut off from their roots.

- (b) **Development of Hybrid Culture:** As globalisation may lead to one single world culture or a homogenised culture, it is also likely to lead to new permutations, new combinations, new options and new cultures. Thus, global encounters and interactions may produce inventive new cultural forms. In this sense, there emerges a "third culture" or hybrid culture the trademark of which is social innovation and change co-existing with continuities and tradition in social and cultural life. For instance impact of British Rule could be seen the way we dress, cook, eat etc. National and regional cultures are invariably a product of assimilation of various elements from other cultures, of a synthesis of elements that is a product of cultural interpenetration. In ICT era, cultural interpenetration through the exchange of

commodities is today so pervasive that it is difficult if not impossible to distinguish between original and imported cultural attributes. Consider a person drinking 'Darjeeling Tea' in Istanbul. The tea originated in India; the sugar in Brazil or New Guinea; the porcelain cup in China and the restaurant itself is a French invention.

- (c) **Rise of Cultural Nationalism:** Nations reject global cultural integration and people remain loyal to local histories, identities and traditions. For example, Middle-east countries have campaigned against the threat of Americanization and have defended the diversity and difference of Islamic cultures. It is also possible to have attempts within the country by certain sections of people who refuse to integrate or adopt alien cultures as well as conduct massive movements against this trend. For example, Shiv Sena activists have been campaigning against Valentine's Day celebrations in India.
- (d) **Culture of Consumption (Consumerism):** Cultural consumption is playing in the process of globalisation especially in shaping the growth of cities. Till the 1970s the manufacturing industries used to play a major role in the growth of cities. Presently, cultural consumption (of art, food, fashion, music, tourism) shapes to a large extent the growth of cities. This is evident in the spurt in the growth of shopping malls, multiplex cinema halls, amusement parks and 'water world' in every major city in India. Most significantly advertisements and the media in general promote a culture where spending is important. To be careful with money is no longer a virtue. Shopping is a past time actively encouraged. Successive successes in fashion pageants like Miss Universe and Miss World have lead to a tremendous growth in industries in the fields of fashion, cosmetics and health. Young girls dream of being an Aishwarya Rai or Sushmita Sen. Popular game shows like Kaun Banega Crorepati actually made it seem possible that your fortunes could turn over a few games.
- (e) **Corporate Culture:** The spread of multinational companies and the opportunities opened up by the information technology revolution has created in the metropolitan cities in India class of upwardly mobile professionals working in software firms, multinational banks, chartered accountancy firms, stock markets, travel, fashion designing, entertainment, media and other allied fields. These high-flying professionals have highly stressful work schedules, get exorbitant salaries and are the main clientele of the booming consumer industry.

8. EFFECT ON BOLLYWOOD

As the effects of liberalization reshaped the economic landscape, so too was the social sphere equally affected. The transformed economic scenario allowed for the rapid rise of consumerism, increase in the numbers of a visibly consuming middle class, and the burgeoning televisual landscape. It is within this televisual landscape that film portrays the volatility of Indian modernity, exaggerates features but also paradoxically dictate patterns of normality. In this sense, they shape and impose exemplarity by broadcasting role models, figures of idealization and identification at once. Popular cinema is thus a major actor of social engineering. Portrayal of Nonresident Indians (NRI), or Indians in diaspora, transformed during the years after liberalization. It was during this transition that NRI "ceased to be a symbol of the 'Other' and has become instead the prototype of the new Indian, globalized and modern, but always a nationalist at heart. By taking this more positive role in the midst of liberalization, "the romantic or family comedies with a NRI hero sell 'Brand India' to the world while furthering the cause of capitalism and social conservatism in India.

The cinematic representations of diasporic Indians served as "deterritorialized models of national identity", simultaneously supporting the acceptance of liberalization efforts at home and ionizing the adoption of liberal habits by those in the diaspora. It is clear that the role that diasporic film is taking on is not that of a globalizer, but that of a liberalizer.

As a major actor of social engineering, popular cinema served as a tool for popularizing liberalization between the early 1990s and mid 2000s. Diasporic Indians have been an effective medium for doing this, as positive portrayals of those living in liberalized society validates liberal reform within India. However, constructing a deterritorialized national identity requires a cultural exchange between all involved; a process that mimics globalisation in that it develops reflexivity, but is separate from it, as it constitutes cultural reflexivity between Indians and the Indian diaspora and not between that community and the rest of the world. Therefore, both liberal and conservative ideals must maintain a degree of influence to facilitate the formation of a common identity. As the liberalization of the Indian economy was a transformative process, it is not surprising that liberal ideals took center stage during the process' formative years, however this is changing.

NRIs are "not necessarily objects of envy or role models anymore" as their portrayal since the mid-2000s has been more negatively associated with less socially conservative activities. This change in their portrayal represents the assertion

of those conservative ideals within the deterritorialized national identity as the presence of liberalism within that identity normalizes. Rather than a positive portrayal of the diaspora motivating India's residents to liberalize, their negative portrayal invites the diaspora to Indianize, thereby solidifying a common deterritorialized national identity.

Network society is made possible by technical advancements like the Internet, which have overcome the "inability of networks to manage complexity beyond a critical size" that prevented them from overtaking the usefulness of centralized apparatuses in coordinating society previously. Within this, Castells makes reference to the concept of a "Global City," defining it as consisting of "territories that in different cities ensure the management of the global economy and of global information networks". **Bollywood's global presence is increasing rapidly for two reasons: "because the media-lines of dissemination are proliferating, the increase in the types of media: digital, satellite, air, print, Internet, radio, optical cables, digital subscriber lines (or DSL), and telephone".**

These media-lines of dissemination manage the economics of Bollywood within the global economy by moving capital and goods to and from new markets, while new technologies increase the modes through which consumers may access those goods; and therefore forms a 'global information network' of Indian culture which may be accessed and leveraged.

There is a necessary delineation between who does or does not identify with that new model; a clear consequence of which is the lack of popularity of Bollywood film among non-Indian audiences.

According to a 2012 UNESCO report, India out-produced all other nations in 2005, 2006, 2008, and 2009; but out of the 5891 films produced between 2005 and 2009 only the 2008 film 'Slumdog Millionaire' achieved global popularity. 'Slumdog Millionaire' itself is a questionable representation of Bollywood cinema, as it was directed by Danny Boyle, an English director; written by Simon Beaufoy, an English writer; and produced by Fox Searchlight, an American studio. As with audiences, filmmakers outside of the Bollywood industry incorporate very few Bollywood elements in their films. In fact, the only direct reference to Bollywood's influence on Hollywood comes in the form of commentary by director Baz Luhrmann; who "has openly agreed that he is influenced by Bollywood". Luhrmann's 2001 movie *Moulin Rouge* is held up as evidence of Bollywood's influence, however it stands as the only evidence. Therefore, while Bollywood maintains a presence within the global city through the Indian diaspora, the impact of Bollywood on its global neighbors is negligible at best.

Different industries and cultures are increasing their global presence, the degree to which they are mutually reflexive to one another is a necessary measure of how globalized a society is.

Herein, lies a major issue in calling the Bollywood industry globalized, or classifying it as a force of social globalisation. Bollywood is absolutely located within the global city, and as a "major actor of social engineering" it certainly has an effect upon diasporic Indian identity. However, as that effect is limited to those audiences and does not extend significantly to host societies, it operates as an agent of nationalization rather than globalisation. Furthermore, this effect compounds upon itself.

9. EFFECT ON MUSIC

Changing trends in performing arts rarely manifest themselves with dramatic abruptness. More often than not, they creep up silently, diverting the flow of continuing traditions and practices stealthily but resolutely. As the relentless tidal wave of globalisation swept across the world in the last two decades, Indian performing arts too were swept, tossed high and hurled down, without many even noticing that some of the great rivers of performing traditions and systems had changed course or, at times, been reined in forcefully. Looking back on some of these changes, particularly in the sphere of Indian music, it may be worthwhile to begin by examining a few words, terms and phrases that provide clues to some of the many ways in which globalisation has impacted the performing arts in India.

Other than in academic discussions, performing arts in India and its practitioners are today referred to most commonly as being part of the "entertainment industry." That today the arts must entertain and amuse in the manner defined by showbiz, and that they must form part of organised industry is the clear and unambiguous message conveyed by this shift. For creators and artistes who, in an ideal world, create art driven by an artistic urge or by that inexplicable creative charge that propels artistes towards their respective forms of expression, this shift from being an individual artiste or part of an artistic community, to being absorbed into or discarded by the politics and commerce of the entertainment industry, has had a far-reaching impact.

Firmly entrenched in the idea of "increasing material wealth" by the opening up of international markets, globalisation is unabashed about its obsession with checks, balances, net profits and turnovers. It would, therefore, seem only natural

and come as no surprise that even in the area of performing arts, those genres that have a record of yielding attractive enough turnovers and lucrative profit margins would be easily and successfully globalised. In the context of Indian music, the success of mainstream Hindi film music presents a case in point.

Without doubt, Hindi film music enjoys the greatest listenership in the country and, as a result, is also one of the largest selling and economically wealthy genres of music in the country. Despite a severe downward trend in the quality of content, particularly from the artistic point of view, its popularity and consequent economic and financial success on international platforms have surged manifold.

One reason for this could be attributed to the ability of the Hindi film song to fit into the format or template that has found currency with the global music industry. A three to five-minute song template, available for full commercial exploitation in existing and developing formats, with snappy tunes and danceable grooves, and accompanying visuals featuring Bollywood stars, is easily picked up and put to the harness in global music markets. Its relatively shorter duration makes downloading easy, pricing remains standardised and, further, its massive popularity in an overpopulated country and among people of Indian origin in various parts of the world, make it a prime candidate for globalisation.

In other words, songs that fit into this format are more likely to have a greater demand and thus achieve one of the primary targets of globalisation, namely that of increasing material wealth. Other genres like remixes, electronic music, hip hop and Indian pop music and fusion music also adhere to similar templates and thus find favour in a globalised world.

In a nutshell, such is the impact of globalisation that the West, which not so long ago revered traditional Indian arts and music, albeit for their perceived spirituality and exoticism, is now increasingly becoming a consumer of Bollywood music. Virtually the only form of music that the Indian population can access easily is music from Bollywood. On radio, television and mobile telephony platforms, it is film music that is aggressively promoted and distributed. The film industry, always flush with funds, has the resources to buy huge prime-time chunks on all media for publicity and promotions, and it is therefore not uncommon to find a forthcoming Bollywood film being discussed at great length on prime-time news hour telecasts, to the detriment and neglect of other more newsworthy issues. The film industry also has the financial muscle to reach out to international markets, and is leaving no stone unturned in its attempt to conquer large shares of the global music and film markets too. The impact is starkly evident in India today where most other forms of music find themselves marginalised and pushed either into regional corners or, worse still, abandoned.

Such is the impact of this aspect of globalisation that most forms of Indian music desperately try and conform to the successfully globalised Hindi film song. From the Bihu of Assam, to the Biraha of Uttar Pradesh and Bihar, most folk forms are undergoing a Bollywood makeover. On television channels catering to regional viewership, music videos provide ample proof of this homogenising which has undoubtedly had a tragic impact on the diverse forms of musical expression in the country. Music from Rajasthan and Punjab have for long found favour with popular taste, but even the music from these two States finds itself being sifted for tunes and song types that will conform to the norms of entertainment and industry as set out in a globalised world. Therefore, songs with slow tempo or complex rhythms are usually rejected and what is retained are the songs that can be converted into dance tracks with a primal beat.

Globalisation works with its own sets of paradoxes. On the one hand, it seeks out diversity because therein it finds fresh produce that can be offered to new and ever growing markets. But, at the same time, the diverse offerings it seeks to exploit must conform to the terms, conditions and templates approved by global markets even at the risk of losing their unique identities and traits, which in the first place made them so eligible. Translated into the context of Indian music, this would mean that the music industry would hunt relentlessly for varied musical content that could be found in India. With its enormous and ever-increasing population, India offers the greenest of pastures for selling and buying. So an iTunes, a Napster, Rhapsody, Amazon MP3 or any other digital music store will buy and sell any music, provided it conforms to the terms offered by them—take it or leave it.

It may be argued justifiably that in any sphere, those who are able to be in step with the times survive and others fall by the wayside. Therefore, this cannot be considered an ill effect of globalisation alone. But, this counter argument cannot negate that this is indeed one of the many constricting and obstructive pressures that globalisation has inflicted on many an existing artiste and art form in order to attract an international market, the Indian musician must retain some part of his or her Indian identity, but only in such measure as would set him or her apart and not make their ethnicity frighteningly unfamiliar or alienating. Thus, the emergence and success of rock and fusion bands who play rock music as

it would be played anywhere in the world, but retain some token Indian-ness. Rock musicians donning turbans, jackets, kurtas and vaeshtis made of handloom cloth, skirts or lehangaas and other items of ethnic clothing as costume; Kathakali face paint or kutchi ghodi, work hard to roll their r's into sounding as 'international' as possible.

Urban Indians have for decades urged their children to acquire fluency in English in a bid to secure admissions to high brow educational institutions, and to further professional careers. And now increasingly the rural population of India is following suit. In such a situation, genres that relied heavily on literature and poetry such as the ghazal have taken a severe beating. Once a form that enjoyed massive popularity, the ghazal today faces a bleak future. Some exponents of this genre made attempts to modify the form to suit popular taste and preference. In the process, some abandoned the complex and evolved poetry of the great masters of Urdu, and opted to present simple texts that could be enjoyed by even those who did not fully comprehend the grandeur of classic Urdu poetry. While this strategy brought them some amount of fame and popularity for a short period of time, it did not, by any means, save the ghazal from becoming nearly extinct.

Over a century ago, Indians struggled to establish a national identity. Today, it is the lure of a global identity that Indians pursue, for better or for worse.



10. EFFECT ON TECHNOLOGY

The technological dimension in the field of information technology and telecommunication has already been addressed. The future post-industrial firms is virtual, no more a localized physical entity, but a flexible network of temporary contracts and cooperative relations that functions via computer net and mobile phone, often on a world scale. Large parts of production in a global age concerns information.

The new technological paradigm is characterized by two important processings:

- First, the raw material as well as the outcome of the process of information
- Second, they affect process (or more precisely, the transformation of such) rather than products.

These two major characteristics of the information technological paradigm have fundamentally changed society with regard to its material basis. The new technological paradigm engenders an increased flexibility of organization in production, consumption and management and thus minimizes that distance between economy and society. Large corporations that required and developed these new technologies, have themselves become obsolete now as an organizational form. With these new technologies, vertical hierarchies are no longer necessary and even inefficient compared to more flexible network structures. Characteristic to the global age is the network society.

- (a) **The 'electronic economy':** It is another factor that underpins economic globalisation. Banks, corporations, fund managers and individual investors are able to shift funds internationally with the click of a mouse. This new ability to move 'electronic money' instantaneously carries it with great risks however. In India often this is discussed with reference to rising stock markets and also sudden dips because of foreign investors buying stocks, making a profit and then selling them off. Such transactions can happen only because of the communication revolution. **It should also be noted that for the first time, mainly due to the information technology revolution, there has been a globalisation of finance.** Globally integrated financial markets undertake billions of dollars worth transactions within seconds in the electronic circuits. There is a 24-hour trading in capital and security markets. Cities such as New York, Tokyo and London are the key centers for financial trading. **In India, Mumbai is known as the financial capital of the country.**

- (b) **The Weightless Economy or Knowledge Economy:** In contrast to previous eras, the global economy is no longer primarily agricultural or industrial in its basis. **The weightless economy is one in which products have their base in information, as in the case with computer software, media and entertainment products and internet based services. A knowledge economy is one in which much of the workforce is involved not in the physical production or distribution of material goods, but in their design, development, technology, marketing, sale and servicing.** It can range from the neighbourhood catering service to large organisations involved in providing a host of services for both professional meets like conferences to family events like weddings. We have a host of new occupations that was unheard of a few decades ago, for instance event managers.
- (c) **Information and Communication Technologies (ICTs):** One of the striking aspects of contemporary society is the rapid development of the information technology for application in different areas of electronic activities with significant implications. Prominent among these are the computer industry, composed of several subsections including large, hard and software sectors. The extraordinary explosion of both technology and information has considerably reduced the twin concepts of time and space. In particular Information and Communication Technology (ICT) has emerged as perhaps the most dominant force in the global system of production although with significant ramifications in all other spheres of contemporary human existence. Improved communication reduced effective distance for the transmission of information. International telephone and fax traffic has become largely instantaneous, cheap and simple for individuals to access. The Internet provides a genuinely global system of communication and information. Satellite and cable TV and VHF radio have created an abundance of choice in news and entertainment. The augmented expansion of information technology in the past few decades resulted in a phenomenal growth of "outsourcing" of service in the world over.

NEGATIVE EFFECT OF GLOBALIZATION

1. EFFECT ON ECONOMY

Economies of most of the developing societies had suffered badly due to colonial exploitation. After independence, these societies had been trying to develop their economies by combining local expertise and imported technologies. In some of these societies, special efforts were being made to develop indigenous technology to compete with the developed world. But, 40-45 years was too small a period for them to catch up with the developed economic powers. As such, some protectionist measures were required to save the indigenous entrepreneurs from the unequal competition with the multinational companies of the developed world.

Breaking up of barriers and protectionist measures in the name of globalisation exposes the upcoming but weak indigenous entrepreneurs to the onslaught by the powerful MNCs. The MNCs, having huge surpluses generated from various parts of the world, easily marginalise the indigenous manufacturers. **The example of Philips and Aiwa companies, which have effected closure of several Indian TV companies, can be seen by anyone. Another example is that of the ouster of almost all Indian soft drinks companies from the market by Coke and Pepsi.**

Some scholars argue that globalisation means free access to all raw materials, all labour and all markets. Theoretically this access is equally available to the entrepreneurs from all parts of the world. But, in practice, the big MNCs backed by big capital, advanced technologies and their powerful states have become the main beneficiaries. These companies are buying cheap raw materials from various developing societies, hiring cheap labour from there, selling the products and services in these very societies, and making huge gains. With the relaxation in restrictions (as per the New Economic Policies adopted by developing societies) on taking the profits out, several of these societies are bound to experience almost similar 'drain of wealth' as they had experienced during the colonial rule.

A very important tenet of globalisation is privatisation as public enterprises do not, generally, conform to economic rationalism. In most of the developing societies, including India, public sector enterprises were set up with the following purposes:

- (a) To maintain secrecy about defence-related productions;
- (b) To create infra-structural facilities;
- (c) To provide services to the masses without caring for profits.

Later, for reasons better known to the policy-makers, several public sector enterprises came up in various sectors including consumer sector. Public enterprises either should not have come up in these non-core, non-service sectors or should have worked to generate profit to support the non-profitable service sector. Unfortunately, most of these enterprises became burdens on the State. Due to these loss-making companies, some people have formed an opinion that public sector is worthless, and hence, should be done away with. However, the attack on the public sector has become more potent in the recent years mainly by the protagonists of globalisation who believe that public sector and globalisation do not go together. This argument can be corroborated by the fact that most of the disinvestments in India have been from profit-making PSUs.

Way Forward

In fact, the original reasons behind having Public Sector Undertakings are still relevant; the suffering masses still need to be looked after with a service motive rather than a profit motive. If some of the PSUs are not performing or have become burdens on the State's exchequer, public sector as a whole should not be done away with. In most of the developing societies, majority of the people can not afford to pay for all the basic amenities/services. Therefore, total privatisation would badly affect them. The difference between the fees charged by government Hospitals/Schools and private Hospitals/Schools clearly indicates what havoc privatisation can create for the poor masses.

2. EFFECT ON SOCIETY AND CULTURE

Every society has its own set of ethical codes and values, traditions and conventions. While it is good to be open to new ideas for a positive change, the choice should lie with the recipient. In this era of globalisation, however, the people of the developing societies are being bombarded so heavily through the electronic media that they hardly are left with options or choice. Through Cable TV and Internet, the MNCs are successfully promoting consumerism and even Western values. This creates big adjustment problems in the developing societies. Most of the people in these societies do not get even the basic amenities and even those who get can't afford the luxuries being promoted so aggressively. This leads to frustration, adjustment problems and materialist approach to life.

Several researchers have found that the people of the developing societies, especially children and youth want to become rich to be able to buy all that they get fascinated with. The craze of Coke/Pepsi or famous Western brands of clothing or watches or cars or cosmetics are all creation of electronic media. Earlier, people either did not know about them or could not get them in the open market. Today, thanks to globalisation, everybody knows about all the products and the products are available in the market. When one sees others using them, the urge to have them increases manifold. This can be one of the important reasons behind the rise in crime-rate in these societies.

3. EFFECT ON SOCIAL JUSTICE

This globalisation process will seriously hamper social justice. There is decline in the government's autonomy because of the present scenario as it is mostly the government that assures social justice. With massive privatization, the employment opportunities in the government sector have begun to erode. This will have its effect on the job openings to the weaker sections of the society. All of us are aware that the private sector does not follow the reservation policy to set aside jobs to the disabled, scheduled castes, scheduled tribes or women. With profit oriented economy these welfare measures are going to suffer. It will have a destructive effect on the country's progress because it is through such practices the government has been striving towards development and self-reliance of the disadvantaged sections. In India inequality is serious and worsening. This large growing poverty and inequality reduces the purchasing power of people, keeps them out of the market and also slows growth.

4. EFFECT ON THE POOR

Opening up of economies was primarily visualised as a mechanism where trade would function as "an engine of growth" and the fruits of growth would "trickle down" to the poor. However, the results have been mixed, with many countries observing widening inequalities in their economies, contrary to the conventional trade theory prescriptions.

In India the first generation reforms concentrated on the industrial economy and the agricultural and rural sector were neglected. In the urban sector the large metropolitan cities are the most immediately affected from liberalisation and globalisation, with significant changes in land use and work patterns. The decline in social sector expenditure or stagnation in social sector expenditure in proportion to GDP also went against the interests of the poor. In urban areas, the large scale private investment, both foreign and Indian, led to the acquisition of city lands which, in turn, affected the poor, mainly slum dwellers, hawkers, destitutes, street dwellers as they were pushed out of the city to the peripheries which are

marked by degeneration with low value employment and poor living conditions. The uneven and unequal nature of the present globalisation process is manifested in the fast growing gap between world's rich and poor people and between developed and developing countries and in the large differences among nations in the distribution of gains and losses. In India, average incomes rose more rapidly in urban areas than in rural implying the widening gaps between rural and urban.

Globalisation is a far-reaching process having its imprint left, though in varying degrees, in all walks of contemporary human life. Globalisation basically means increased interaction and interconnectedness in terms of social, economic, cultural, political, ecological etc. between and among the nations across the world. Globalisation has been both beneficial by way of increased employment, technologies, opportunities etc. as well as detrimental by way of influencing the policies of governments, driving small scale companies out of business, evasion of taxes, violation of human right and damaging the environment, etc.

Widening Gap between the Rich and the Poor

The globalisation process in India has forced the government to restrict its accountability to well-being of the deprived and the labour market has witnessed drastic changes in the number of employment opportunities and the nature of employment offered, job security being the most hard hit. As is evident, down-sizing of the work-force through retrenchments and voluntary retirement is a common feature in India. We also find the government unable to allocate money for the social sector. The reduction of the fiscal deficit is inevitable which in turn involves reduction and in the long run elimination of four broad group subsidies.

- Food subsidy
- Fertilizer subsidy
- Export subsidy
- Raising user charges for electricity, road transport, irrigation, education and health.

Apart from the above, crucial restructuring of the public distribution system is also to be carried out. This trend is going to have unwarranted effects on poverty and gender issues. These measures are going to affect the sensitive segment of the population for whom the basic needs are going to cost more. In the process, the poor stagnate or negatively advance in poverty thereby lowering living standards. With fetching of essential requirements becoming the prime focus of the deprived, other development needs of education, health and women development etc., take a back seat. The removal of the subsidies will widen the gap of have and have-nots. Ill health and poor education will further increase the vulnerability of the poor. "Globalisation has direct effects on demographic processes. These include movements of people within and across national borders, health and fertility outcomes, and changes in age structure. Over the next 15 years, more than 1 billion persons will be added to the global total of 6.2 billion and almost all of them will be net additions to world's poorest countries. Urban populations will grow rapidly posing challenges to sustainable development. What happens by globalisation of Indian Agriculture? He who enjoys the purchasing power can command the best consumables. For the teeming millions it will be the quantity rather than the quality that will become the immediate concern in developing countries as a result of globalisation of market economy.

5. EFFECT ON EDUCATION

The worst impact of globalisation on education can be seen in the rapid commercialization of education and over-emphasis on market oriented courses. The undermining of Social Sciences and Humanities is already having detrimental effect on the society. While education should prepare the students to be able to earn their livings, a more important role of education is to develop the mental horizons and personalities of the students so that they become aware, concerned and balanced citizens.

Due to the demands of market in this era of economic globalisation as well as due to serious propaganda by western institutions and industries, education, in most of the developing societies, is gradually becoming one-dimensional. Educational institutions are putting more and more emphasis on courses which create skills for the market. The social, cultural, political, traditional and moral education is being neglected and being termed as irrelevant and obsolete. This is an unfortunate development as study of these subjects provides stability and balance to a society facing the onslaught of cultural and economic imperialism.

6. EFFECT ON CONSUMERS

Is it true that globalisation is beneficial to the consumers? Consumers are those who feel the need to take advantage of the abundant options before them in the form of products and services – be it automobiles, mobile phones, insurance schemes etc. The profile of these consumers is that they are mostly middle class living in cities, with secure income and employment. It is true that they have been the main beneficiaries of the market economy principle of 'customer is king'. However, when one moves from globalisation to liberalization they lose benefits due to status quo. Similarly, these consumers will be hit as service providers when the situation arises.

In short, the impact of globalisation, privatization and market economy on the Indian society can be summed up as:

- Eroding of household income due to withdrawal of food subsidies
- Retrenchment of workers
- Health services to the poor is hit because of high cost of imported life-saving drugs
- Higher prices for essential commodities due to increase in fuel prices
- Curtailing the government outlay in social segment particularly on health and education affect the accessibility and quality of those services.
- Overall increase in poverty Reduction on subsidies Wide disparities between rich and the poor
- Illiteracy
- Changes in nature of employment
- Frustrations may give rise to crime
- Social security will be reduced

To sum up, the impact will be especially harsh in circumstances where social safety are insufficient to protect the poor and susceptible groups from its immediate unfavourable effects during the transition period.

DE-GLOBALIZATION

1. UNDERSTANDING THE CONCEPT OF DE-GLOBALIZATION

- ❖ De-globalization simply means the restructuring of the world economic and political system in order to strengthen local economies.
- ❖ According to Walden Bello in "Focus on the Global South", who coined the term "de-globalisation", the objective is not to withdraw from the global economy, but rather to trigger a process of restructuring the world economic and political system so as to strengthen local and national economies instead of weakening them.
- ❖ De-globalisation questions the integration process dominated by the logic of capital and the supposed rationality of the economy that erodes the decision-making capacity of the people and States. Deglobalising means starting to think and build an integration process based on the needs of peoples, nations, communities and ecosystems.
- ❖ Deglobalisation does not oppose trade nor the exchange of products or services, but proposes that trade is not done at the expense of the communities, the local and national economies and the diversity of its products whether agricultural or industrial.
- ❖ The one size fit all policy of structural adjustment programmes pushing countries to only remain producers of particular cash crops or goods, destroys that country's ability to satisfy people's needs, diversify and more importantly, be self-reliant in its ability to feed its people.
- ❖ **Deglobalisation embraces the principle of subsidiarity that affirms that all political or economic decisions must be adopted by the level of government that is closest to the problem.** The ones who know the most about the local situation and will be the first to suffer the consequences of a decision must be the first to give their opinion and state their position. A political or economic decision that affects a local area must fundamentally be made at this level and only when it is truly necessary should this decision-making power be transferred to the national, regional or global level.

2. PRINCIPLES OF DE-GLOBALIZATION (WALDEN BELLO)

- ❖ Production for the domestic market (rather than production for export markets) must again become the center of gravity of the economy.

- ❖ The principle of subsidiarity should be enshrined in economic life by encouraging production of goods at the level of the community and at the national level if this can be done at reasonable cost in order to preserve community.
- ❖ Trade policy (quotas and tariffs) should be used to protect the local economy from destruction by corporate-subsidized commodities with artificially low prices.
- ❖ Industrial policy (including subsidies, tariffs, and trade) should be used to revitalize and strengthen the manufacturing sector.
- ❖ Long-postponed measures of equitable income redistribution and land redistribution (including urban land reform) must be implemented to create a vibrant internal market that would serve as the anchor of the economy and produce local financial resources for investment.
- ❖ De-emphasizing growth, emphasizing upgrading the quality of life, and maximizing equity will reduce environmental disequilibrium.
- ❖ The power and transportation systems must be transformed into decentralized systems based on renewable sources.
- ❖ A healthy balance must be maintained between the country's carrying capacity and the size of its population.
- ❖ Environmentally congenial technology must be developed and diffused in both agriculture and industry.
- ❖ The principle of gender-parity must be applied in all areas of economic decision-making so as to ensure gender equity.
- ❖ Strategic economic decisions must not be left to the market or to technocrats. Instead, the scope of democratic decision-making in the economy should be expanded so that all vital economic issues - such as which industries to develop or phase out, what proportion of the government budget to devote to agriculture, etc. - become subject to democratic discussion and choice. This will entail the demystification of economics and a return to its origins as political economy and moral economy.
- ❖ Civil society must constantly monitor and supervise the private sector and the state, a process that should be institutionalized.
- ❖ The property complex should be transformed into a "mixed economy" that includes community cooperatives, private enterprises, and state enterprises, and excludes transnational corporations.
- ❖ Centralized global institutions like the IMF and the World Bank should be replaced with regional institutions built not on free trade and capital mobility but on principles of cooperation that, to use the words of Hugo Chavez in describing the Bolivarian Alternative for the Peoples of Our Americas (ALBA), "transcend the logic of capitalism."

3. RECENT TRENDS OF GLOBALIZATION

Trade Protectionism

- ❖ The recent trade war between the US and China indicates a change in attitude of Advanced Economies (AEs) in protecting their interests at the cost of developing countries.
- ❖ Trade has not been witnessing growth at a scale as was before the Great Financial Crisis of 2008. It may be the consequence of decreased investment in technological innovation.

Immigration Control

- ❖ Instances of immigration control by US, UK and other European countries have been dominant in past one decade.
- ❖ Recent decision of Trump administration of building wall across Mexican border highlights emerging trend of protectionism in free movement of people across the border. Also, US H-1B visa is a step in this direction.

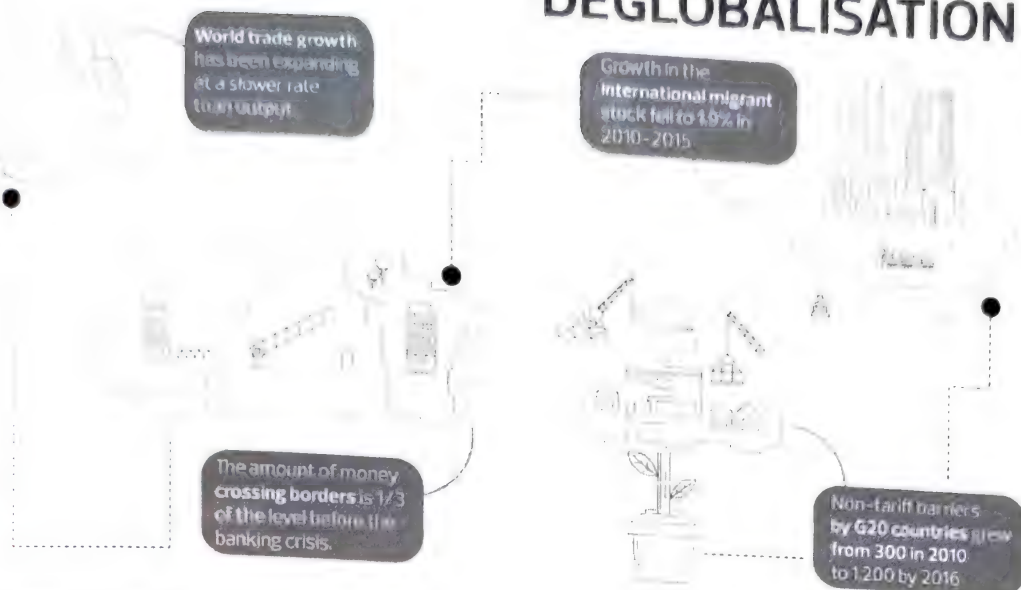
Brexit Movement

- ❖ Brexit and 'Make America Great Again' are symptoms of underlying processes of de-globalization that have already generated significant trade and investment uncertainty.
- ❖ This has had a concrete impact on trade & investment flows as firms and consumers are adjusting behaviour in anticipation of further trade shocks.

Flow of Capital

- ❖ Cross-border financial flows have been reduced due to uncertainty in the global policy making and increased protectionism by AEs.

Evidence of DEGLOBALISATION



4. IMPLICATIONS OF DE-GLOBALIZATION

- ❖ When large, industrialized and prosperous nations break ranks to erect new entry barriers for goods and services, this can dramatically impact the fortunes of their many trade partners.
- ❖ All calculations of global economic growth, inflation and interest rates then go haywire.
- ❖ The US economy, for instance, imports a lot of inexpensive manufactured goods from China. If a tariff war increases costs of imports into the US, its domestic inflation may rocket and US interest rates may increase faster.
- ❖ The recent global bull market is predicated on a global recovery and de-globalisation can puncture the optimism very quickly.
- ❖ What starts with goods can also move to the people. The US and the UK have already made immigration norms very stringent for outsiders.
- ❖ Internationalization weakens biases, but with economic fragmentation, these old biases kick back in.

On Women

- ❖ Deglobalization may hamper efforts towards gender equality.
- ❖ Restrictions on the movement of people will limit women's ability to move in search of greater opportunities.
- ❖ Reduced capital flows, which make investment capital harder to come by, may encourage the return of old cultural myths against investing in women.

On India

- ❖ India may not be much affected by the recent rash of tariffs, given that the US derives only a little over one per cent of its steel and aluminum imports from India.
- ❖ But de-globalisation with respect to the mobility of services and people can impact both the export of services and the trend of Indians migrating abroad for higher education and jobs.

Way Forward

- ❖ There is a need to bring emerging countries into closer association with world governance, implying that, in return, they share the responsibility and the costs of underpinning capitalism and an open society.
- ❖ Promotion of new forms of international and regional integration that preserve and allow the multiple dimensions of life to flourish.

- ❖ Cooperation is vital to make the world economy more predictable, to mitigate vulnerabilities and to strengthen the free trade system.
- ❖ The culture of tolerance and understanding must be promoted which provides space for positive dialogue.

Covid-19 and De-globalization

The outbreak of Covid-19 has posed challenges to the process of globalization and, in turn, accelerated the process of de-globalization. This can be analyzed from different perspectives.

Difficult time for corporate sector: Covid-19 crisis has impacted badly the corporations and businesses that have benefited from economic interdependence supported by cross-border supply chains.

China is the world's largest production base, and lies at the heart of many supply chains. Since the outbreak of Covid-19, many companies that had come to depend on China were hard hit.

Halting of WTO talks: This may indicate worse days ahead for the WTO, as trade rules have worked best when the global economy is booming and isn't facing a crisis.

Restriction on People to People Movement: National governments will have to weigh the risks of contagious diseases against the benefits of ease of travel or may have to consider stronger safeguards.

In the short run, the World's Tourism industry will get affected even after the crisis gets over.

Difficulty in mobilizing finances: Also, mobilisation of finance will be indirectly affected as less migration and business travel coupled with incentives to invest at home will hinder transnational capital flows.



Summary

- Globalization broadly refers to the expansion of the global linkages, the organisation of the social life on the global scale and the growth of the global consciousness and hence to the consolidation of the world society.

Historical Perspective of Globalisation:

- Some Scholars are of the opinion that globalisation began long ago with colonization.
- Others prefer to regard globalization as speeded up modernization. Modernization is linked to technological inventions and industrial revolution.
- Some others are of the view that the concept of globalisation became current from about the mid-1980s at the end of the bipolar world with the collapse of the USSR and the rise of an uncontested and unregulated capitalism.
- The process of globalisation had begun in 1970s itself, but it gained maximum momentum in the 1990s.

Globalization is generally understood in terms of two distinct processes:

- Globalisation as a process that has made communication instantaneous and has encouraged people to think in more global terms; and
- Globalisation which tends to combine a market ideology with a corresponding material set of practices drawn from the world of business.

Americanization:

- Americanization is the influence of American culture and business in other countries outside the United States, including their media, cuisine, business practices, popular culture, technology or political techniques.
- While, we provide our youth with international standards of education and economic opportunities, in their rush to mimic the West, India's youth are rapidly becoming Americanized.
- The major setback of americanization is in the field of society and social values. Learning traditional and cultural knowledge soon became the symbol of backwardness.
- India's americanization has, in so many ways, been a wonderful thing. It has lifted millions from poverty, and, by seeding ideas of meritocracy and individual attachment into the national imagination.

McDonaldization:

- McDonaldization is a by-product of Americanization which is a part of the wider phenomenon of globalisation.
- It occurs when a culture possesses the characteristics of a fast food restaurant.

- It is a re-conceptualization of rationalization or moving from traditional to rational modes of thoughts and scientific management.

Primary Components of McDonaldization:

- Efficiency - Calculability
- Predictability - Control
- Culture
- The main reason behind the progress of McDonaldization is the vast population and its growth, mainly the high percentage of middle class society in India.
- McDonaldization of society is a phenomenon that occurs when a society, its Institutions and its organisations are adapted to have the same characteristics that are found in fast food chains.
- Focusing on the four key characteristics that produce McDonaldization has eliminated the need for skilled workforce.

Globalization: A Dynamic Process

- Globalization isn't ending rather it is changing. What we are witnessing is the emergence of a new global economy, an economy without borders propelled by digital rocket boosters.

Effect of Globalisation

On Economy:

- Policy of liberalization, privatization and FDI.
- Advent of TNCs
- Infrastructure development

On Society:

- The social dimension of globalisation refers to the impact of globalisation on the life and work of people, on their families and their societies.
- Migration and urbanization
- Unsustainable development practices
- Commercialization of indigenous knowledge
- Reduction in public expenditure
- Labour reforms
- Informalization of Labour
- Feminization of labour

Effect on Family:

- Some argue that family is becoming gradually weak due to globalisation and individualism is growing up.
- A gradual change that took place in the family structure from joint/ extended families to nuclear family pattern.

Effect on Women:

- Women in urban settings have become more Independent and self-reliant.
- Globalization has relaxed the moral attitudes. Smoking and drinking is more accepted for women, so much to the point that such behaviour by women has become a symbol of empowerment.
- However, as consumers, women are increasingly facing a consumer culture which reduces them to commodities, and as producers, women are exposed to exploitation and occupational hazards.
- The globalisation has increased the craze for junk food in Indian youth.

Effect on Culture:

- Globalisation has made certain languages extinct or dying, for example, Latin. At the same time, more people today are bilingual or multilingual than ever before.
- Homogenization of culture
- Development of hybrid culture
- Rise Of cultural nationalism
- Culture of consumption
- Corporate culture

Effect on Technology:

- The electronic economy

- The weightless economy or knowledge economy
- Dominance of Information and Communication Technologies

Negative Effect of Globalisation

On Economy:

- The MNCs, having huge surpluses generated from various parts of the world, easily marginalize the indigenous manufacturers.

On Society and Culture:

- The people of the developing societies are being bombarded so heavily through the electronic media that they hardly are left with options or choice.

On the Poor:

- In urban areas, the large-scale private investment both foreign and Indian led to the acquisition of city lands which in turn affected the poor mainly slum dwellers, destitutes etc.

On Education:

- It can be seen in the commercialization of education and over-emphasis on market-oriented courses.
- The undermining of Social Sciences and Humanities is already having detrimental effect on the society.

De-globalization:

- De-globalization simply means the restructuring of the world economic and political system in order to strengthen local economies.

Principles of De-globalization:

- Production for the domestic market must again become the centre of gravity of the economy.
- The principle of subsidiarity should be enshrined in economic life.
- Trade policy should be used to protect the local economy.
- De-emphasizing growth, emphasizing upgrading the quality of life and maximizing equity will reduce environmental disequilibrium.

Structure

- ❖ Objectives
- ❖ Introduction
 1. What is Empowerment?
 2. Elements of Empowerment
 3. Social Empowerment
- ❖ Social Inequality and Exclusion
 1. Social Inequality
 2. Social Stratification
 3. Social Exclusion and Discrimination
- ❖ Empowerment of Weaker Sections in India
 1. Constitutional Safeguards
 2. Empowerment of Scheduled Tribes
 - Adivasi Struggles
 - Constitutional Safeguards for STs
 - Safeguards under Various Laws
 3. Nomadic, Semi-Nomadic and De-notified Tribes
 - National Commission for De-notified, Nomadic and Semi-Nomadic Tribes
 - Key Recommendations
 4. Empowerment of Scheduled Castes
 - Constitutional Safeguards
 5. Empowerment of Backward Classes
 6. Women Empowerment
 - National Commission for Empowerment of Women
 7. Child Protection and Development
 - Constitutional Provisions
 - National Policy for Children
 - National Action Plan for Children, 2016
 - Right to Education
 8. Empowerment of Minorities
 - Justice Rajindar Sachar Committee
 - Prime Minister's 15 Point Programme for the Welfare of Minorities
 9. Empowerment of the Disabled
 - Disabled Population in India

- Issues of the Disabled in India
 - Legislative and Policy Framework for the Disabled
 - Right of Persons with Disabilities Act, 2016
 - National Policy on Persons with Disabilities, 2006
 - Accessible India Campaign
- ❖ Some Critical Social Issues in India
1. Related to Women
 - Female Foeticide and Infanticide
 - Dowry
 2. Related to Children
 - Child Labour
 - Child Marriage
 3. Related to the Aged
 - Elder Abuse
 4. Related to the Poor
 - Bonded Labour
 5. Related to Miscellaneous Reasons
 - Beggary
 - Alcohol Abuse
- ❖ Summary
- ❖ UPSC Previous Year Questions
- Prelims Questions
 - Mains Questions with Approach
 - Prelims/Mains Question Trend Analysis

Objectives

In this chapter, we shall study:

- The meaning of empowerment, social inequality and exclusion
- Empowerment of weaker sections in India
- Some critical social issues in India

INTRODUCTION

1. WHAT IS EMPOWERMENT?

- ❖ The term empowerment has different meanings in different socio-cultural and political contexts, and does not translate easily into all languages.
- ❖ Many terms i.e., self-strength, control, self-power, self-reliance, own choice, life of dignity in accordance with one's values, capable of fighting for one's rights, independence, own decision making, being free, awakening, and capability etc. are construed as empowerment.
- ❖ Empowerment is the expansion of **assets** and **capabilities** of poor people to participate in, negotiate with, influence, control, and hold accountable institutions that affect their lives.

Assets and Capabilities

- ❖ "Assets" refer to material assets, both physical and financial. Such assets-including land, housing, livestock, savings, and jewellery-enable people to withstand shocks and expand their horizon of choices.

- ❖ The extreme limitation of poor people's physical and financial assets severely constrains their capacity to negotiate fair deals for themselves and increases their vulnerability.
- ❖ "Capabilities", on the other hand, are inherent in people and enable them to use their assets in different ways to increase their wellbeing.
- ❖ Human capabilities include good health, education, and production or other life-enhancing skills.
- ❖ Social capabilities include social belonging, leadership, relations of trust, a sense of identity, values that give meaning to life, and the capacity to organize.
- ❖ Political capability includes the capacity to represent oneself or others, access information, form associations, and participate in the political life of a community or country.
- ❖ Assets and capabilities can be individual or collective. Given lack of voice and power and deeply entrenched social barriers, even in many formal democracies, poor people are often unable to take advantage of opportunities to invest in their assets or exercise their individual rights.
- ❖ Poor people's empowerment, and their ability to hold others to account, is strongly influenced by their individual assets (such as land, housing, livestock, savings) and capabilities of all types: human (such as good health and education), social (such as social belonging, a sense of identity, leadership relations) and psychological (self-esteem, self-confidence, the ability to imagine and aspire to a better future).

2. ELEMENTS OF EMPOWERMENT

Successful efforts to empower poor people, increasing their freedom of choice and action in different contexts, often share four elements:

- Access to information
- Inclusion and participation
- Accountability
- Local organizational capacity.

Access to timely information about programs, or about government performance or corruption, is a necessary precondition for action. Poor people or citizens more broadly may not take action because there are no institutional mechanisms that demand accountable performance or because the costs of individual action may be too high. Similarly, experience shows that poor people do not participate in activities when they know their participation will make no difference to products being offered or decisions made because there are no mechanisms for holding providers accountable. Even where there are strong local organizations, they may still be disconnected from local governments and the private sector, and lack access to information.

3. SOCIAL EMPOWERMENT

Social empowerment is understood as the process of developing a sense of autonomy and self-confidence, and acting individually and collectively to change social relationships and the institutions and discourses that exclude weaker people and keep them in exclusion.

SOCIAL INEQUALITY AND EXCLUSION

1. SOCIAL INEQUALITY

Patterns of unequal access to social resources are commonly called social inequality. Some social inequality reflects innate differences between individuals for example, their varying abilities and efforts. Someone may be endowed with exceptional intelligence or talent, or may have worked very hard to achieve their wealth and status. However, by and large, social inequality is not the outcome of innate or 'natural' differences between people, but is produced by the society in which they live.

2. SOCIAL STRATIFICATION

Sociologists use the term social stratification to refer to a system by which categories of people in a society are ranked in a hierarchy. This hierarchy then shapes people's identity and experiences, their relations with others, as well as their access to resources and opportunities.

Three key principles help explain social stratification:

1. **Social stratification is a characteristic of society, not simply a function of individual differences:** Social stratification is a society-wide system that unequally distributes social resources among categories of people. In the most technologically primitive societies – hunting and gathering societies, for instance – little was produced so only rudimentary social stratification could exist. In more technologically advanced societies where people produce a surplus over and above their basic needs, however, social resources are unequally distributed to various social categories regardless of people's innate individual abilities.
2. **Social stratification persists over generations:** It is closely linked to the family and to the inheritance of social resources from one generation to the next. A person's social position is ascribed. That is, children assume the social positions of their parents. Within the caste system, birth dictates occupational opportunities. A Dalit is likely to be confined to traditional occupations such as agricultural labour, scavenging, or leather work, with little chance of being able to get high-paying white-collar or professional work. The ascribed aspect of social inequality is reinforced by the practice of endogamy. That is, marriage is usually restricted to members of the same caste, ruling out the potential for blurring caste lines through inter-marriage.
3. **Social stratification is supported by patterns of belief, or ideology:** No system of social stratification is likely to persist over generations unless it is widely viewed as being either fair or inevitable. The caste system, for example, is justified in terms of the opposition of purity and pollution, with the Brahmins designated as the most superior and Dalits as the most inferior by virtue of their birth and occupation. Not everyone, though, thinks of a system of inequality as legitimate. Typically, people with the greatest social privileges express the strongest support for systems of stratification such as caste and race. Those who have experienced the exploitation and humiliation of being at the bottom of the hierarchy are most likely to challenge it.

3. SOCIAL EXCLUSION AND DISCRIMINATION

Often we discuss social exclusion and discrimination as though they pertain to differential economic resources alone. This however is only partially true. People often face discrimination and exclusion because of their gender, religion, ethnicity, language, caste and disability. Thus, women from a privileged background may face sexual harassment in public places. A middle class professional from a minority religious or ethnic group may find it difficult to get accommodation in a middle class colony even in a metropolitan city. People often harbour prejudices about other social groups. Each of us grow up as a member of a community from which we acquire ideas not just about our 'communities', our 'caste' or 'class' our 'gender' but also about others. Often these ideas reflect prejudices.

Prejudice

Prejudices refer to pre-conceived opinions or attitudes held by members of one group towards another. The word literally means 'pre-judgement', that is, an opinion formed in advance of any familiarity with the subject, before considering any available evidence. A prejudiced person's preconceived views are often based on hearsay rather than on direct evidence, and are resistant to change even in the face of new information. Prejudice may be either positive or negative. Although, the word is generally used for negative pre-judgements, it can also apply to favourable pre-judgement. For example, a person may be prejudiced in favour of members of his/her own caste or group and – without any evidence – believe them to be superior to members of other castes or groups.

Stereotypes

Prejudices are often grounded in stereotypes, fixed and inflexible characterisations of a group of people. Stereotypes are often applied to ethnic and racial groups and to women. In a country such as India, which was colonised for a long time, many of these stereotypes are partly colonial creations. Some communities were characterised as 'martial races', some others as effeminate or cowardly, yet others as untrustworthy.

Stereotypes fix whole groups into single, homogenous categories; they refuse to recognise the variation across individuals and across contexts or across time. They treat an entire community as though it were a single person with a single all-encompassing trait or characteristic.

Discrimination

If prejudice describes attitudes and opinions, discrimination refers to actual behaviour towards another group or individual. Discrimination can be seen in practices that disqualify members of one group from opportunities open to others,

as when a person is refused a job because of their gender or religion. Discrimination can be very hard to prove because it may not be open or explicitly stated. Discriminatory behaviour or practices may be presented as motivated by other, more justifiable, reasons rather than prejudice. For example, the person who is refused a job because of their caste maybe told that they were less qualified than others, and that the selection was done purely on merit.

Social Exclusion

- ❖ Social exclusion refers to ways in which individuals may become cut off from full involvement in the wider society.
- ❖ It focuses attention on a broad range of factors that prevent individuals or groups from having opportunities open to the majority of the population.
- ❖ In order to live a full and active life, individuals must not only be able to feed, clothe and house themselves, but should also have access to essential goods and services such as education, health, transportation, insurance, social security, banking and even access to the police or judiciary.
- ❖ Social exclusion is not accidental but systematic – it is the result of structural features of society.

Social exclusion is involuntary – that is, exclusion is practiced regardless of the wishes of those who are excluded. For example, rich people are never found sleeping on the pavements or under bridges like thousands of homeless poor people in cities and towns. This does not mean that the rich are being 'excluded' from access to pavements and park benches, because they could certainly gain access if they wanted to, but they choose not to. Social exclusion is sometimes wrongly justified by the same logic – it is said that the excluded group itself does not wish to participate.

Prolonged experience of discriminatory or insulting behaviour often produces a reaction on the part of the excluded who then stop trying for inclusion. For example, 'upper' caste Hindu communities have often denied entry into temples for the 'lower' castes and specially the Dalits. After decades of such treatment, the Dalits may build their own temple, or convert to another religion like Buddhism, Christianity or Islam. After they do this, they may no longer desire to be included in the Hindu temple or religious events. But, this does not mean that social exclusion is not being practiced. The point is that the exclusion occurs regardless of the wishes of the excluded.

Exclusionary processes may have various dimensions. For example- political exclusion, social exclusion & cultural exclusion.

Political exclusion can include the denial of citizenship rights such as political participation and the right to organise, and also of personal security, the rule of law, freedom of expression and equality of opportunity. Political exclusion also involves the notion that the state, which grants basic rights and civil liberties, is not a neutral agency but a vehicle of a society's dominant classes, and may thus discriminate between social groups.

Economic exclusion includes lack of access to labour markets, credit and other forms of 'capital assets'.

Social exclusion may take the form of discrimination along a number of dimensions including gender, ethnicity and age, which reduce the opportunity for such groups to gain access to social services and limits their participation in the labour market.

Cultural exclusion refers to the extent to which diverse values, norms and ways of living are accepted and respected.

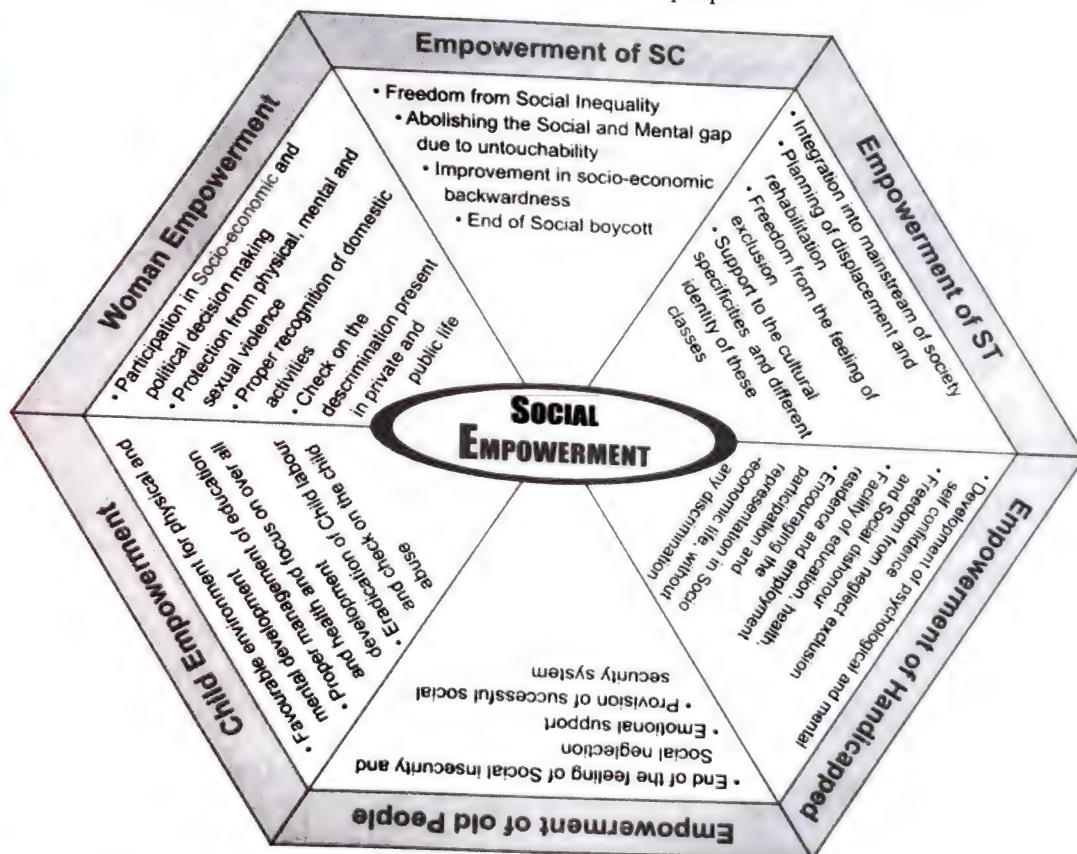
Way Forward

India like most societies has been marked by acute practices of social discrimination and exclusion. At different periods of history protest movements arose against caste, gender and religious discrimination. Yet, prejudices remain and often, new ones emerge. Thus, legislation alone is unable to transform society or produce lasting social change. A constant social campaign to change awareness and sensitivity is required to break them.

EMPOWERMENT OF WEAKER SECTIONS IN INDIA

Government of India adopted a three pronged strategy for the empowerment of: Schedule Caste; Schedule Tribe; Other Backward Classes; Women; Children; Disabled; Old aged and other vulnerable section of society. These are as follows:

1. **Social Empowerment:** Removing existing and persisting inequalities besides providing easy access to basic minimum services with a top priority assigned to education as the key factor in social development;
2. **Economic Empowerment:** Promoting employment-cum-income generation activities with an ultimate objective of making them economically independent and self-reliant; and
3. **Social Justice:** Striving to eliminate all types of discrimination with the strength of legislative support, affirmative action, awareness generation and change in the mind-set of the people.



1. CONSTITUTIONAL SAFEGUARDS

Article 46: It is a comprehensive provision comprising both the developmental and regulatory aspects. It provides that "The State shall promote with special care the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation".

Article 23: It prohibits traffic in human beings and beggar and other similar forms of forced labour and provides that any contravention of this provision shall be an offence punishable in accordance with law.

Article 24: It provides that no child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

Article 15: It empowers the State to make any special provision for the advancement of any socially and educationally backward classes of citizens or for SCs and STs.

Article 16: The term 'backward classes' is used as a generic term and comprises various categories of backward classes, viz., Scheduled Castes, Scheduled Tribes, Other Backward Classes, De-notified Communities (Vimukta Jatiyan) and Nomadic/ Semi nomadic communities.

Article 29: It provides that "any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own, shall have the right to conserve the same".

2. EMPOWERMENT OF SCHEDULED TRIBES

Adivasi Struggles

Like the term Dalit, the term Adivasi connotes political awareness and the assertion of rights. Literally meaning 'original inhabitants', the term was coined in the 1930s as part of the struggle against the intrusion by the colonial government and outside settlers and moneylenders. Being Adivasi is about shared experiences of the loss of forests, the alienation of land, repeated displacements since Independence in the name of 'development projects' and much more.

Like the Scheduled Castes, the Scheduled Tribes are social groups recognised by the Indian Constitution as specially marked by poverty, powerlessness and social stigma. The jana or tribes were believed to be 'people of the forest' whose distinctive habitat in the hill and forest areas shaped their economic, social and political attributes. However, ecological isolation was nowhere absolute. Tribal groups have had long and close association with Hindu society and culture, making the boundaries between 'tribe' and 'caste' quite porous.

In the case of adivasis, the movement of populations from one area to another further complicates the picture. Today, barring the North-Eastern states, there are no areas of the country that are inhabited exclusively by tribal people; there are only areas of tribal concentration. Since the middle of the nineteenth century, non-tribals have moved into the tribal districts of central India, while tribal people from the same districts have migrated to plantations, mines, factories and other places of employment.

In the areas where tribal populations are concentrated, their economic and social conditions are usually much worse than those of non-tribals. The impoverished and exploited circumstances under which adivasis live can be traced historically to the pattern of accelerated resource extraction started by the colonial British government and continued by the government of independent India. From the late nineteenth century onwards, the colonial government reserved most forest tracts for its own use, severing the rights that adivasis had long exercised to use the forest for gathering produce and for shifting cultivation. Forests were now to be protected for maximising timber production. With this policy, the mainstay of their livelihoods was taken away from adivasis, rendering their lives poorer and more insecure. Denied access to forests and land for cultivation, adivasis were forced to either use the forests illegally (and be harassed and prosecuted as 'encroachers' and thieves) or migrate in search of wage labour.

The Independence of India in 1947 should have made life easier for adivasis but this was not the case. First, the government monopoly over forests continued. If anything, the exploitation of forests accelerated. Second, the policy of capital-intensive industrialisation adopted by the Indian government required mineral resources and power-generation capacities which were concentrated in Adivasi areas. Adivasi lands were rapidly acquired for new mining and dam projects. In the process, millions of adivasis were displaced without any appropriate compensation or rehabilitation. Justified in the name of 'national development' and 'economic growth', these policies were actually a form of internal colonialism, subjugating adivasis and alienating the resources upon which they depended. **Projects such as the Sardar Sarovar dam on the river Narmada in western India and the Polavaram dam on the river Godavari in Andhra Pradesh will displace hundreds of thousands of adivasis, driving them to greater destitution.** These processes continue to prevail and have become even more powerful since the 1990s when economic liberalisation policies were officially adopted by the Indian government. It is now easier for corporate firms to acquire large areas of land by displacing adivasis.

In spite of the heavy odds against them and in the face of their marginalization many tribal groups have been waging struggles against outsiders (called 'dikus') and the state. In post-Independence India, the most significant achievements of Adivasi movements include the attainment of statehood for Jharkhand and Chattisgarh, which were originally part of

Bihar and Madhya Pradesh respectively. In this respect adivasis and their struggles are different from the Dalit struggle because, unlike Dalits, adivasis were concentrated in contiguous areas and could demand states of their own.

The perpetuation of socio-economic backwardness among the Scheduled Tribes (STs), in spite of the efforts made so far, presents a formidable challenge demanding effective and result-oriented steps in every developmental sector.

Constitutional Safeguards for STs

I. Educational & Cultural Safeguards

- **Article 15(4):** Special provisions for advancement of other STs;
- **Article 29:** Protection of Interests of Minorities (which includes STs);
- **Article 46:** The State shall promote, with special care, the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled Castes, and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation;
- **Article 350:** Right to conserve distinct Language, Script or Culture;

II. Social Safeguards

- **Article 23:** Prohibition of traffic in human beings and beggar and other similar form of forced labour;
- **Article 24:** Forbidding Child Labour.

III. Economic Safeguards

- **Article 244:** Clause(1) Provisions of Fifth Schedule shall apply to the administration & control of the Scheduled Areas and Scheduled Tribes in any State other than the states of Assam, Meghalaya, Mizoram and Tripura which are covered under Sixth Schedule, under Clause (2) of this Article.
- **Article 275:** Grants in-Aid to specified States (STs & SAs) covered under Fifth and Sixth Schedules of the Constitution.

IV. Political Safeguards

- **Article 164(1):** Provides for Tribal Affairs Ministers in Jharkhand, Chhattisgarh, Madhya Pradesh and Orissa;
- **Article 330:** Reservation of seats for STs in Lok Sabha;
- **Article 332:** Reservation of seats for STs in State Legislatures Assemblies;
- **Article 334:** 10 years period for reservation (Amended several times to extend the period.);
- **Article 243:** Reservation of seats in Panchayats.
- **Article 371 (A,D and E):** Special provisions in respect of North East States and Sikkim

V. Service Safeguards

Under Article 16 (4), 16(4A), 16(4B) Article 335, and Article 320(4)

Van Dhan Scheme

Under the scheme, 10 Self Help Groups of 30 Tribal gatherers (Van Dhan Vikas Samuh) will be constituted. They will then be provided with working capital to add value to the products collected from the jungle.

Van Dhan Vikas Kendra are multi-purpose establishments for providing skill upgradation, capacity building training and setting up of primary processing and value addition facility.

Safeguards under Various laws

- ❖ The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Rules 1995 framed there under.
- ❖ Bonded Labour System (Abolition) Act 1976 (in respect of Scheduled Tribes);
- ❖ The Child Labour (Prohibition and Regulation) Act 1986;
- ❖ States Acts & Regulations concerning alienation & restoration of land belonging to STs;
- ❖ Forest Conservation Act 1980;
- ❖ Panchayati raj (Extension to Scheduled Areas) Act 1996;

- ❖ The Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
- ❖ Minimum Wages Act 1948.
- ❖ The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (Published on 6th Jan 2016).

The main objective for providing social, political and service safeguard for Scheduled Tribes is to uplift these people socially and educationally with a view to empower them to join the national mainstream. To this end the following must be key elements:

- ❖ Relaxing the normative prescriptions about taking up a programme or a scheme in the Tribal majority areas.
- ❖ Administrative strengthening of the implementing agency so as to enable taking up implementation of these programmes in the scheduled/tribal areas.
- ❖ Preferring engaging people from the tribal community itself in the areas predominantly inhabited by tribals for government efforts at spreading education, health and extension services, nutrition, public distribution, and so on.
- ❖ Constitution has also provided for the National Commission for Scheduled Tribes (NCST). It was established by amending Article 338 and inserting a new Article 338-A in the Constitution through the Constitution (89th Amendment) Act, 2003.
- ❖ The commission is constitutionally mandated to discharge the functions in relation to the protection, welfare and development & advancement of the Scheduled Tribes.

3. NOMADIC, SEMI-NOMADIC AND DE-NOTIFIED TRIBES (DNTs)

The Nomadic, Semi-Nomadic and De-notified Tribes cover the 200 communities that were identified by the colonial Government as 'Criminal Tribes' under a notorious legislation called 'Criminal Tribes Act (CTA) 1871. There is no authentic data on DNTs and no Census enumeration was conducted for them, though they are found in almost all the States and belong mostly to the OBC category in some large States. They are also spread across the SC and ST categories in other States. Some communities are not covered by any of the three SC, ST and OBC categories. Even those covered under the three categories are often not able to avail the benefits because of either not having caste certificates, or because the quotas are exhausted by the non-nomadic/de-notified communities in the reserved categories. **A number of States have not prepared lists of the De-notified or Nomadic communities and the status of such people is unknown.**

Suggestions:

- ❖ The quick and most effective way of extending developmental support for DNTs would be to provide special and relevant support and facilities for these communities within the existing facilities for ST, SC and OBC categories as applicable.
- ❖ Access to scholarships and hostel facilities, need to be given priority. The existing schemes for scholarships and hostel facilities need to be revised to extend their coverage to nomadic, semi-nomadic and DNTs.
- ❖ For economic empowerment and development of DNTs capacity building programmes for skill development and marketing, loans for economic empowerment need to be given priority.

Habitual Offenders Act, 1952

It recommended suitable steps to be taken for amelioration of the pitiable conditions of the Criminal Tribes rather than stigmatising them as criminals. As a result, the Criminal Tribes Act of 1871 was repealed in 1952 and the Habitual Offenders Act was enacted in its place.

But, revoking the CTA act did not end the misery of those who were affected by this act. The major difference between the previous act and new act was that the later targeted individuals and not communities. But, on ground, the same procedure kept following. The whole communities kept branded or stigmatized on the colonial model. Whenever, a crime takes place, the police round up all the male members of the community in the vicinity and apply third degree torture to extract information. Such communities include Pardhis, Kanjars, Kanjarbhats etc. The problem is complicated because some members of these communities are still involved in crimes.

The act has attracted criticism from civil society as well as United Nations on the ground that it negates the principle of the criminal justice system – innocent until proven guilty. The UN Committee on the Elimination of Racial Discrimination (CERD) had asked India to repeal the Habitual Offenders Act (1952) and effectively rehabilitate the de-notified and nomadic tribes.

Currently, a variant of the HOA Model Bill as proposed by the Union Government, stands enforced in 10 States.

NATIONAL COMMISSION FOR DE-NOTIFIED, NOMADIC AND SEMI-NOMADIC TRIBES (NCDNT)

The Government had constituted a National Commission for De-notified, Nomadic and Semi-Nomadic Tribes (NCDNT) in January, 2015. The Commission was chaired by Bhiku Ramji Idate. The terms of reference of the Commission were as under:

- ❖ To prepare a state-wise list of castes belonging to Denotified and Nomadic Tribes.
- ❖ To identify the castes belonging to Denotified and Nomadic Tribes in the Lists of Scheduled Castes Scheduled Tribes and Central List/State List of Other Backward Classes.
- ❖ To identify the castes belonging to Denotified and Nomadic Tribes which have not been included in the Lists of Scheduled Castes, Scheduled Tribes and Central List of Other Backward Classes and to pursue their case for inclusion in these lists depending on the modalities laid down for the purpose.
- ❖ To identify the places where DNTs are densely populated.
- ❖ To evaluate the progress of the development of Denotified and Nomadic Tribes under the union and the states.
- ❖ To suggest appropriate measures in respect of Denotified and Nomadic Tribes to be undertaken by the central government or the state government.
- ❖ Any other related work as may be assigned by the Ministry of Social Justice & Empowerment.

The Commission submitted its report in January 2018.

Its Key Recommendations are:

- Set up a Permanent Commission for them on the lines of similar commissions for Scheduled Castes, Scheduled Tribes, and Other Backward Classes.
- Set up a dedicated National Finance Development Corporation for them.
- Set up a working group under NITI Aayog to look into various policy issues relating to the communities.
- Grant Constitutional protection to these communities, under a separate third schedule after Scheduled Castes and Scheduled Tribes making them eligible for reservation, and extending the protective cover of Prevention of Atrocities Act to them.

Cabinet approves proposal for constitution of Development and Welfare Board for De-notified, Nomadic and Semi-Nomadic Communities

The Commission (Idate Commission) recommended for the setting of up a Permanent Commission for these communities. Since most of the DNTs are covered in SC, ST or OBC, constitution of a Permanent Commission will not be very effective in implementing development programmes, rather it will look at grievance redressal and will, therefore, be in conflict with mandate of existing commissions for SCs (National Commission for Scheduled Castes), STs (National Commission for Scheduled Tribes) and OBCs (National Commission for Backward Classes).

The Government has, therefore, decided to set up a Development and Welfare Board under the Societies Registration Act, 1860 under the aegis of Ministry of Social Justice and Empowerment for the purpose of implementing development and welfare programmes for Denotified, Nomadic and Semi-nomadic Communities.

Source: PIB, 19-02-2019

There are certain groups of DNTs who are not covered under the lists of SC/ST & OBCs and for them the Government has launched two schemes. These are:

- ❖ Dr. Ambedkar Centrally Sponsored Scheme of Pre-Matric and Post-Matric Scholarship Scheme for Denotified, Nomadic and Semi-Nomadic Tribes (DNTs) and
- ❖ Nanaji Deshmukh Centrally Sponsored Scheme of Construction of Hostels for Denotified, Nomadic and Semi-Nomadic Tribes in the current financial year.

4. EMPOWERMENT OF SCHEDULED CASTES

The objective for Scheduled caste is to uplift these people socially and educationally with a view to empower them to join the national mainstream. The intentions are:

1. To ensure the security and dignity of all persons belonging to the scheduled castes, especially women and put a complete end to all forms of 'untouchability' and discrimination against them.

2. To bring members of the SCs-both men and women-at par, to the maximum possible extent, with their non-SC/ST counterparts, in terms of all developmental indices viz.-education, health, nutrition, housing, income generation and employability.
3. To empower SCs to participate in society and in nation-building, on an equal basis with others.
4. To effectively implement Schedule Caste Sub Plan (SCSP) as the essential instrument for accomplishing inclusive growth.

Constitutional Safeguards

Article 330: It provides for reservation of seats for Scheduled Castes in the House of the People.

Article 332: It provides for reservation of seats for Scheduled Castes in the Legislative Assemblies of the States.

Article 243D: It provides for reservation of seats in Panchayats.

Article 23, 24 and 46: It forms part of the economic safeguards for the Schedule Castes and Schedule Tribes.

Article 15(4): It empowers the states to make special provisions for advancement of any socially and educationally backward classes of citizens and for the SCs. This provision has enabled the states to reserve seats for SCs in educational institutions in general and professional courses etc.

Article 16: This Article provides that "Nothing in this Article shall prevent the State from making any provision for the reservation in appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State".

Article 17: Untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of Untouchability shall be an offence punishable in accordance with law.

Article 335: This Article provides that "The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State". The following provision was added to this Article by the Constitution (Eighty-second Amendment) Act, 2000- "Provided that nothing in this article shall prevent in making of any provision in favour of the members of the Scheduled Castes and Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State".

The government has formulated Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 which prohibits the commission of offences against members of the SCs and STs and establishes special courts for the trial of such offences and the rehabilitation of victims.

Constitution has also provided the National Commission for Schedule Caste (NCSC). In the 89th Amendment of the Constitution it was decided to have a separate National Commission for Scheduled Castes & separate National Commission for Scheduled Tribes.

5. EMPOWERMENT OF BACKWARD CLASSES

Backward Classes mean such backward classes of citizens other than the Scheduled Castes and Scheduled Tribes as may be specified by the Central Government in the lists prepared by the Government of India from time to time for purposes of making provision for the reservation of appointments or posts in favour of backward classes of citizens which, in the opinion of that Government, are not adequately represented in the services under the Government of India and any local or other authority within the territory of India or under the control of the Government of India.

National Backward Classes Commission (NCBC) was set up in 1993. The Commission tenders advice to the Ministry in respect of castes, sub-castes, synonyms and communities for inclusion in/from the central list of Other Backward Classes.

The Backward Classes Division looks after the policy, planning and implementation of programmes relating to social and economic empowerment of OBCs. It also looks after matters relating to two institutions set up for the welfare of OBCs namely, the National Backward Classes Finance and Development Corporation (NBCFDC) and the National Commission for Backward Classes (NCBC).

Constitution has also provided the National Commission for Backward Classes (NCBC) under Article 338B which has the power to examine complaints regarding inclusion or exclusion of groups within the list of backward classes, and

advise the central government in this regard. **The Constitution 102nd Amendment Act, 2018 established the NCBC under the Constitution, and provided it the authority to examine complaints and welfare measures regarding socially and educationally backward classes.**

6. WOMEN EMPOWERMENT

Women's empowerment is a process, which is both on-going and dynamic and which enhances women's ability to change those structures and ideologies which keep them subordinate. This process enables them to gain more access to and control over resources and decision making; gain more control over their own lives, gain more autonomy. It is a process which enables women to have self-respect and dignity, which improves their self-image and social image. The process of empowerment is a political process, because it aims at changing existing power relationships between women and men.

Mission for Protection and Empowerment of Women

Aim: It provides expert and technical support in

- Poverty alleviation and economic empowerment
- Health and nutrition
- Gender budgeting & Gender mainstreaming
- Gender rights gender based violence & law enforcement
- Empowerment of vulnerable & marginalized groups
- Social empowerment & education
- Media and advocacy and
- Information technology
- Nodal agency: Ministry of Women and Child Development (MWCD).
- Coverage area: All State/UTs will be covered under this Scheme through the State Resource Centre for Women (SRCWs).
- Implemented through the States/UTs and Implementing Agencies.

National Mission for Empowerment of Women (NMEW)

The government has come up with the "Mission for Protection and Empowerment of Women" which aims to achieve holistic empowerment of women through convergence of schemes/programmes of different Ministries/Department of Government of India as well as State Governments.

The National Mission for Empowerment of Women (NMEW) was launched by the Government of India (GoI) on International Women's Day in 2010 with the aim to strengthen overall processes that promote all-round development of women. It has the mandate to strengthen the inter-sector convergence; facilitate the process of coordinating all the women's welfare and socio-economic development programmes across ministries and departments. **The mission aims to provide a single window service for all programmes run by the government for women under aegis of various central ministries.**

In light with its mandate, the mission has been named Mission Poorna Shakti, implying a vision for holistic empowerment of Women. The National Resource Centre for Women has been set up which functions as a national convergence centre for all schemes and programmes for women. It acts as a central repository of knowledge, information, research and data on all gender-related issues and is the main body servicing the National and State Mission Authority.

7. CHILD PROTECTION AND DEVELOPMENT

Children constitute principle assets of any country. Children's Development is as important as the development of material resources and the best way to develop national human resources is to take care of children. India has the largest child population in the world. All out efforts are being made by India for the development and welfare of children. Significant progress has been made in many fields in assuring children their basic rights. However, much remains to be done. The country renews its commitment and determination to give the highest priority to the basic needs and rights of all children. Children are most vulnerable to exploitation and abuse. A lot more has to be done for the health, nutrition and education of children. It is unfortunate that girls in particular face debilitating discrimination at all stages. Therefore, specific concentration is being given to the efforts to improve the life and opportunities of the Girl Child.

Constitutional Provisions

There are several specific constitutional provisions for children. These include the following.

- ❖ **Article 21A** directs the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.
- ❖ **Article 23** prohibits trafficking of human beings and forced labour.
- ❖ **Article 24** prohibits employment of children below the age of fourteen years in factories, mines or any other hazardous occupation.
- ❖ **Article 39(e) and (f)** provides that the State shall, in particular, direct its policy towards securing to ensure that the health and strength of workers, men and women and the tender age of children are not abused and that the citizens are not forced by economic necessity to enter avocations unsuited to their age or strength and that the children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that the childhood and youth are protected against exploitation and against moral and material abandonment.
- ❖ **Article 45** envisages that the State shall endeavour to provide early childhood care and education for all children until they complete the age of six years.

National Policy for Children

The government has adopted a new National Policy for Children, 2013 on 26th April, 2013. The policy recognises every person below the age of eighteen years as a child and covers all children within the territory and jurisdiction of the country. It recognizes that a multi-sectoral and multidimensional approach is necessary to secure the rights of children. The policy has identified four key priority areas:

- Survival, health and nutrition;
- Education and development;
- Protection and
- Participation for focused attention.

As children's needs are multi-sectoral, interconnected and require collective action, the policy calls for purposeful convergence and coordination across different sectors and levels of governance.

Based on the new National Policy for Children, 2013 adopted on 26th April, 2013, the Ministry developed a Draft National Plan of Action for Children (NPAC). The plan of action has been drafted keeping in view the existing schemes/programmes of various ministries. The purpose is to track and monitor the progress of what is already being done for children across ministries and sectors.

National Action Plan for Children, 2016

National Action Plan for Children, 2016 (NPAC) was launched at National Girl Child Day in New Delhi on 24th January. The NPAC has been developed by the Ministry of Women & Child Development. It seeks to ensure the following:

- ❖ The action plan has four key priority areas; survival, health and nutrition; education and development; protection and participation.
- ❖ The NPAC defines objectives, sub-objectives, strategies, action points and indicators for measuring progress under the four key priority areas and also identifies key stakeholders for the implementation of different strategies.
- ❖ The plan also puts focus on new and emerging concerns for children such as online child abuse, children affected by natural and man-made disasters and climate change, etc.
- ❖ The strategies and action points largely draw upon the existing programmes and schemes of various ministries/departments. However, for new and emerging issues related to children; it also suggests formulation of new programmes and strategies, as required.
- ❖ The plan takes into account the Sustainable Development Goals (SDGs) and provides a roadmap towards achieving them through co-ordination and convergence with different stakeholders.

Right to Education (RTE)

- ❖ The Constitution (Eighty-sixth Amendment) Act, 2002 inserted Article 21-A in the Constitution of India to provide free and compulsory education to all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine.

- ♦ The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which represents the consequential legislation envisaged under Article 21-A, means that every child has a right to full time elementary education of satisfactory and equitable quality in a formal school which satisfies certain essential norms and standards.
- ♦ The title of the RTE Act incorporates the words 'free and compulsory'. 'Free education' means that no child shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education. 'Compulsory education' casts an obligation on the appropriate Government and local authorities to provide and ensure admission, attendance and completion of elementary education by all children in the 6-14 age group.

Provisions

- ♦ Right of children to free and compulsory education till completion of elementary education in a neighbourhood school.
- ♦ It makes provisions for a non-admitted child to be admitted to an age appropriate class.
- ♦ It specifies the duties and responsibilities of appropriate Governments, local authority and parents in providing free and compulsory education, and sharing of financial and other responsibilities between the Central and State Governments.
- ♦ It lays down the norms and standards relating inter alia to Pupil Teacher Ratios (PTRs), buildings and infrastructure, school-working days, teacher-working hours.
It provides for rational deployment of teachers by ensuring that the specified pupil teacher ratio is maintained for each school, rather than just as an average for the State or District or Block, thus ensuring that there is no urban-rural imbalance in teacher postings. It also provides for prohibition of deployment of teachers for non-educational work, other than decennial census, elections to local authority, state legislatures and parliament, and disaster relief.
- ♦ It provides for appointment of appropriately trained teachers, i.e. teachers with the requisite entry and academic qualifications.
- ♦ It prohibits (a) physical punishment and mental harassment; (b) screening procedures for admission of children; (c) capitation fee; (d) private tuition by teachers and (e) running of schools without recognition,
- ♦ It provides for development of curriculum in consonance with the values enshrined in the Constitution, and which would ensure the all-round development of the child, building on the child's knowledge, potentiality and talent.

8. EMPOWERMENT OF MINORITIES

The Indian Constitution is committed to the ideas of equality and protection and assurance of rights of minorities, which cover six religious communities, viz., Muslims, Christians, Sikhs, Buddhists, Jains and Zoroastrians (Parsis). Depending on their distribution across States, these communities may actually be a 'majority' in some States, for example Muslims are in majority in the Union Territories of Lakshadweep and Jammu and Kashmir as are Christians in Nagaland (90 per cent), Mizoram (87 per cent) and Meghalaya (70.03 per cent) and Sikhs in Punjab (60 per cent). While India has experienced accelerated growth and development in recent years, not all religious communities and social groups (henceforth socio-religious communities-SRCs) have shared equally the benefits of the growth process. Among these, the Muslims, the largest minority in the country, are seriously lagging behind on all human development indices. There is also widespread disparity within different SRCs, supporting the view that each SRC is a differentiated category with multiple identities and different socio-political and economic aspirations.

Justice Rajindar Sachar Committee

The Sachar Committee has compiled data from a number of sources. The report frames these issues as related to identity, security and equity. Barring some generic observations about the causes for the 'development deficit' among Muslims, there is no explicit or detailed discussion of the causes of such conditions.

Main Recommendations

The Committee made a number of recommendations to address the status of the Muslim community in India, including:

- ♦ Set up an Equal Opportunity Commission to look into grievances of deprived groups like minorities.

- ❖ Create a nomination procedure to increase participation of minorities in public bodies.
- ❖ Establish a delimitation procedure that does not reserve constituencies with high minority population for SCs.
- ❖ Increase employment share of Muslims, particularly where there is great deal of public dealing. Work out mechanisms to link madarasas with higher secondary school board.
- ❖ Recognise degrees from madarasas for eligibility in defence, civil and banking examinations.
- ❖ The Committee suggested that policies should "sharply focus on inclusive development and 'mainstreaming' of the community while respecting diversity.

The empowerment of minorities is envisaged through their active participation in the developmental process as participants and not as passive recipients of developmental benefits. The inclusion and empowerment of different socio-religious communities should not be viewed only as a welfare measure undertaken as a consequence of economic growth, but as a critical development imperative.

The Vision for 12th Five Year Plan

The vision for 12th Five year plan consists of a series of bold and creative measures.

- **Increase Allocation:** Increase the scale of key interventions by greater financial outlays across the board to include MsDP and also bringing a larger number of schemes within the scope of the 15 PP, by making educational scholarships demand-driven and by initiating key pilot programmes to develop best practices for the future.
- **Directly Target Minorities:** Re-vamp the design, expand the scope and strengthen implementation structures of key initiatives like the MsDP and 15 PP such that minority settlements and people are directly targeted; such direct targeting should be made a condition for approval of all block and district level plans.
- **Institutionalise Robust Monitoring:** Create internal accountability and impact-based monitoring systems that go beyond purely physical and financial monitoring, and also involve CSOs and peoples' groups in conducting time-bound social audits of schemes and create democratic dialogues between minority groups and state institutions at the grassroots level. All data of a district will be available with the district welfare officer (facilitator) and available in the public domain
- **Develop Transformative Leadership:** Build transformative leadership, through training and capacity building schemes, among minority communities on a large scale, especially among minority women and youth, so that they can themselves create accountability at the local level to help the State provide better neighbourhoods, jobs, education, health, housing, hygiene, skills and incomes.
- **Focus On Skill Building For Employability:** Develop skills to generate employability among minority youth in all MsDP blocks and towns through direct linkages with the National Skill Development Mission.
- **Initiate Pilot Schemes For Minorities:** Recognising that we need to constantly learn and innovate to respond to the changing needs of minorities in the context of the changing landscape of the country, the Twelfth plan should institutionalise a 'hub of innovation', through restructuring the Maulana Azad Education Foundation, wherein a range of experiments in educational and livelihood initiatives (including artisans) among minorities can be undertaken. Civil society engagement with Muslims should be revived urgently through grants-in-aid mechanisms.

Prime Minister's 15 Point Programme for the Welfare of Minorities

The Prime Minister's New 15 point Programme for minorities is a programme launched by Indian government in 2006 for welfare of religious minorities. The objectives of the programme are as follows:

- ❖ Enhancing opportunities for education.
- ❖ Ensuring an equitable share for minorities in economic activities and employment, through existing and new schemes, enhanced credit support for self-employment, and recruitment to state and central government jobs.
- ❖ Improving the conditions of living of minorities by ensuring an appropriate share for them in infrastructure development schemes.
- ❖ Prevention and control of communal disharmony and violence.

These 15 Programmes are:

A. Enhancing Opportunities for Education.

1. **Equitable Availability of ICDS Services:** The integrated Child Development Services (ICDS) Scheme is aimed at holistic development of children and pregnant/lactating mothers from disadvantaged section, by providing services through Anganwadi Centres such as supplementary nutrition, immunization, health check-

up, referral services, pre- school and non-formal education. A certain percentage of the ICDS projects and Anganwadi Centres will be located in blocks/villages with a substantial population of minority communities to ensure that the benefits of the scheme are equitable available to such communities also.

2. **Improving Access to School Education:** Under the Sarva Shiksha Abhiyan, the Kasturba Gandhi Balika Vidyalaya Scheme, and other similar Government schemes, it will be ensured that a certain percentage of such schools are located in villages/localities having a substantial population of minority communities
3. **Greater Resources for Teaching Urdu:** Central assistance will be provided for recruitment and posting of Urdu language teachers in primary and upper primary schools that serve a population in which at least one-fourth belong to that language group.
4. **Modernizing Madarsa Education:** The Central Plan Scheme of Area Intensive and Madarsa Modernization Programme provides basic educational infrastructure in areas of concentration of educationally backward minorities and resources for the modernization of Madarsa education. Keeping in view of importance of addressing this need, this programme will be substantially strengthened and implemented effectively.
5. **Scholarships for Meritorious Students from Minority Communities:** Schemes for pre-matric and post-matric scholarships for students from minority communities will be formulated and implemented.
6. **Improving Educational Infrastructure through the Maulana Azad Education Foundation:** The Government shall provide all possible assistance to Maulana Azad Education Foundation (MAEF) to strengthen and enable it to expand its activities more effectively.

B. Equitable Share in Economic Activities and Employment

7. **Self-Employment and Wage Employment for the Poor:** The Swarn jayanti Gram Swarojgar Yojna (SGSY), the primary self-employment programme for rural areas, has the objective for bringing assisted poor rural families above the poverty line by providing them income generating assets through a mix of bank credit and Governmental subsidy. A certain percentage of the physical and financial targets under the SGSY will be earmarked for beneficiaries belonging to the minority communities living below the poverty line in rural areas. The Swarnjayanti Shahary Rohgar Yojna (SSRY) consists of two major components namely, the Urban Self-Employment Programme (USEP) and the Urban Wage Employment Programme (UWEP). A certain percentage of the physical and financial targets under USEP and UWEP will be earmarked to benefit people below the poverty line from the minority communities.

The Sampurna Grameen Rozgar Yojana (SGRY) is aimed at providing additional wage employment in rural areas alongside the creation of durable community, social and economic infrastructure. Since the National Rural Employment Guarantee Programme (NREGP) has been launched in 200 districts, and SGRY has been merged with NREGP in these districts, in the remaining districts, a certain percentage of the allocation under SGRY will be earmarked for beneficiaries belonging to the minority communities living below the poverty line till these districts are taken up under NREGP. Simultaneously, a certain percentage of the allocation will be earmarked for the creation of infrastructure in such villages, which have a substantial population of minorities.

8. **Upgradation of Skill through Technical Training:** A very large proportion of the population of minority communities is engaged in low-level technical work or earns its living as handicraftsmen. Provision of technical training to such people would upgrade their skills and earning capability. Therefore, a certain proportion of all new ITIs will be located in areas predominantly inhabited by minority communities and a proportion of existing it is to be upgraded to 'Centres of Excellence' will be selected on the same basis.
9. **Enhanced Credit support for Economic Activities:** The National Minorities Development & Finance Corporation (NMDFC) was set up in 1994 with the objective of promoting economic development activities among the minority communities. The government is committed to strengthen the NMDFC by providing it greater equity support to enable it to fully achieve its objective.

Bank credit is essential for creation and sustenance of self-employment initiative. A target of 40% of net bank credit for priority sector lending has been fixed for domestic banks. The priority sector includes, inter alia, agricultural loans, loan to small-scale industries & small business, loans to retail trade, professional and self-employed persons, education loans, housing loans and micro-credit. It will be ensured that an appropriate percentage of the priority sector lending in all categories is targeted for the minority communities.

10. Recruitment to State and Central Services:

- In the recruitment of police personnel, State Governments will be advised to give special consideration to minorities. For this purpose, the composition of selection committees should be representative.
- The Central Government will take similar action in the recruitment of personnel to the Central police forces.
- Large scale employment opportunities are provided by the Railways, nationalized banks and public sector enterprises. In these cases also, the concerned departments will ensure that special consideration is given to recruitment from minority communities.
- An exclusive scheme will be launched for candidates belonging to minority communities to provide coaching in Government institutions as well as private coaching institutes with credibility.

C. Improving the Conditions of Living of Minorities

- 11. Equitable Share in Rural Housing Scheme:** The Indira Awaas Yojana (IAY) provides financial assistance for shelter to the rural poor living below the poverty line. A certain percentage of the physical and financial targets under IAY will be earmarked for poor beneficiaries from minority communities living in rural areas.
- 12. Improvement in Condition of Slums Inhabited by Minority Communities:** Under the schemes of Integrated Housing & Slum Development Programme (IHSDP) and Jawaharlal Nehru Urban Renewal Mission (JNURM), the Central Government provides assistance to States/UTs for development of urban slums through provision of physical amenities and basic services. It would be ensured that the benefits of these programmes flow equitably to members of the minority communities and to cities/slums, predominantly inhabited by minority communities.

D. Prevention & Control of Communal Riots

- 13. Prevention of Communal Incidents:** In the areas, which have been identified as communally sensitive and riot prone districts and police officials of the highest known efficiency, impartiality and secular record must be posted. In such areas and even elsewhere, the prevention of communal tension should be one of the primary duties of the district magistrate and superintendent of police. Their performance in this regard should be an important factor in determining their promotion prospects.
- 14. Prosecution for Communal Offences:** Severe action should be taken against all those who incite communal tension or take part in violence. Special court or courts specifically earmarked to try communal offences should be set up so that offenders are brought to book speedily.
- 15. Rehabilitation of Victims of Communal Riots:** Victims of communal riots should be given immediate relief and provided prompt and adequate financial assistance for their rehabilitation.

9. EMPOWERMENT OF THE DISABLED

Disability was included in the Census exercise from 2001. The 2011 Census highlights that there are 21.9 million disabled people in India constituting 2.13 percent of the population with highest percentage of disabled being visually impaired. The figures have been disputed by many as underreporting the scale of disability with World Health Organization (WHO) report in 2011 estimating 15.3% of the country's population suffering from one disability or the other.

The differences in estimates arise because:

- the non-inclusion of many disabilities
- the improper training of enumerators in identifying persons with disabilities
- Non-disclosure of disability due to associated social stigma.
- While WHO estimates take into account age-related disability and those whose function is affected by issues such as diabetes, India doesn't count these under disability.

The lower-than-actual figures result in number of repercussions like:

- Inflated figures on parameters like literacy rate, employment figures etc for disabled group and lack of proper analysis for the reasons behind the same.
- Lack of effective policy action as it unsure of the scale of the disability issues.
- Budgeting and deploying insufficient resources for Persons with Disabilities.

A 2007 World Bank report says that while India has one of the most progressive disability policy framework in the developing world—but with acts such as the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995—implementation is poor. The report's key recommendation is to "get the basics right", especially identifying people with disabilities as soon as possible after onset.

Proper Identification requires:

- Changing the definition of Disability to include age-related disability and also disability associated with diseases.
- Improve Data Collection methodology and questionnaires deployed for identification of the Disabled.
- Proper training of the enumerators
- Removing the Cultural and Social Stigma associated with Disability to enhance cases of self-reporting by Persons with Disabilities.

Disabled Population in India

As per Census 2011, in India, out of the 121 Cr population, about 2.68 Cr persons are 'disabled' which is 2.21% of the total population. In an era where 'inclusive development' is being emphasised as the right path towards sustainable development, focussed initiatives for the welfare of disabled persons are essential.

People with disabilities are vulnerable because of the many barriers such as attitudinal, physical, and financial. Addressing these barriers is our moral duty. But, most importantly, addressing these barriers will unlock the potential of so many people with so much to contribute to the world. Governments everywhere can no longer overlook the hundreds of millions of people with disabilities who are denied access to health, rehabilitation, support, education, and employment—and never get the chance to shine.

| Residence | Persons | Males | Females |
|-----------|---------|-------|---------|
| Total | 2.21 | 2.41 | 2.01 |
| Rural | 2.24 | 2.43 | 2.03 |
| Urban | 2.17 | 2.34 | 1.98 |

Percentage of Disabled to the total population in India, 2011

Issues of the disabled in India

Some of the constraints persons with disability face in accessing labour markets are the following:

- ❖ **Low literacy levels:** Literacy levels are low among children of all categories of disability. According to the World Bank, illiteracy is 52% among disabled versus 35% in the general population. As with the overall population, there are strong gender differences in educational attainment among persons with disability, with female illiteracy being 64% against disabled male illiteracy of 43%. In rural areas, the schools are located at large distance; colleges are in the district headquarters. Added to this is the fact that in many schools are not equipped to cater to the special needs of the disabled because of infrastructure, accessibility and availability of special instructors. Many persons with disability youth invest in their education, battling family and societal barriers which do not encourage putting their limited financial resources into educating children with disability. Even in states with good educational indicators and high overall enrolments a significant share of out of school children are those with disabilities: Data also indicates that across all levels of severity, children with disability very rarely progress beyond primary school.
- ❖ **Lack of daily living skills:** Many persons with disability are not trained in basic living skills like maintaining personal hygiene, grooming, travelling, use of washrooms, personal safety, etc.
- ❖ **Lack of self-esteem and confidence:** Some persons with disability have low self-expectations about their ability to be employed and may not try to find employment. The social isolation of persons with disability restricts their access to social networks, especially of friends and family members that could help in finding them employment. In rural areas, persons with disability are ridiculed or get bullied. Sometime the parents also don't take them along for social gatherings etc. due to the stigma. This reinforces their inferiority feeling and leads to low self-esteem.
- ❖ **Overprotective parents:** Many parents are very protective about their disabled children, which can be a hurdle for the child to become independent. Many persons with disability are dependant either on their parents, siblings

and friends for small tasks, which makes it difficult for them to independently seek employment. Most of the time, they are escorted by their parents/relatives, whereas companies stress they want persons with disability who are independent.

- ❖ **Basic Skills:** persons with disability may not have access to situations of regular social interaction, may have specific issues with communication (spellings for visually impaired do not get reinforced by “seeing”, sentence construction for hearing impaired do not get reinforced by “listening” and so on leading to difficulties in training them for employment.
- ❖ **Life Skills:** This is an important employability skill to get the job. Among the persons with disability candidates skills like team building skills, time management, money management, are lacking or weak.
- ❖ **Poor knowledge of English:** Rural aspirants with reasonable qualifications have very poor knowledge in English. Sometimes they cannot even spell/write their village name in English. This is a big challenge to make them work ready in many service sector jobs, including data entry operator, where minimum English knowledge is necessary.
- ❖ **Lack of access to skills and technology:** Education and training are central to good and productive work for a reasonable income. But young persons with disabilities often lack access to formal education or to opportunities to develop their skills, particularly in the field of information technology. Technological changes especially new trends like online recruitment make it difficult for persons with disability to cope, many of whom have never worked with computers before.
- ❖ **Rural disconnect from markets:** There are many disabled youth who are not aware about the training/job opportunities available for them especially in the rural areas where disability is more acute. They are also not exposed much to the outer world and are isolated in their own world.

(Note: For schemes and policies related to transgenders and disabled, Refer Chapter first 'Issues of Vulnerable Sections' of Dhyyeya IAS 'Social Justice book'.)

Legislative and Policy Framework for the Persons with Disability

The Constitution when interpreted liberally under Article 14, 15, 16 and 21 along with Directive Principles of State Policy under Article 38 and 41 obliges the state to remove all kinds of discrimination against the disabled people and to take affirmative action wherever it is required. Constitutionally, legislative power regarding disability lies with the state government but the union government recognizing the need to have a national legislation passed the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (or PWD Act) under Article 253 of the Indian Constitution to give effect to the treaty – “Proclamation of Equality and Full Participation of People with Disabilities in the Asian and Pacific Region”.

PWD Act recognized only 7 disabilities and those having 40% or more of these disabilities would be categorized as persons with disabilities entitled to get rights and benefits under the Act.

The main rights were available in the areas of education in public schools, public employment, infrastructure on the roads and in the public transport and access to public buildings and a grievance redressal procedure for the protection of their rights.

RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016

Parliament passed a new rights-based legislation The Rights of Persons with Disabilities Act, 2016. The reasons behind passing an altogether new Act was to fulfil its obligation to the UN Convention on the Rights of Persons with Disabilities which required appropriate changes in law and policy to give effect to the rights of the disabled persons and to remove lacunae, as mentioned above, that existed in the previous Act.

Provisions of the New Act:

1. **Rights based approach-** The new Act empowers persons with disabilities (PwDs) with the right to equality, preservation of dignity and personal liberty. It also protects against discrimination.
2. It includes 21 types of disabilities with Persons with “benchmark disabilities” defined as those certified to have at least 40 percent of the disabilities specified. The law has provisions to protect those with intellectual and psychosocial disabilities and even acid-attack survivors
3. The Bill confers several rights and entitlements to disabled persons. These include disabled friendly access to all public buildings, hospitals, modes of transport, polling stations, etc.

4. **Special Provisions:**

- **Education** - Right to free education in a neighbourhood school for children between 6-18 years with a benchmark disability.
 - **Employment** - Five per cent of government owned or controlled establishments shall be reserved for persons with benchmark disabilities. Incentives to private sector to ensure at least 5% of the employment for disabled people.
 - **Social security** - The new Act widens the ambit of social security- provision for community centres with good standard of living, support to women for livelihood, free healthcare in the neighbourhood areas, cultural and sporting activities etc.
 - **Guardianship of mentally ill persons** - of grant of limited guardianship by the District Court. A limited guardian will take joint decisions with the mentally ill person- affirmation of freedom of the mentally ill.
5. Penal provisions for violating the provisions of the Act Imprisonment between 6 months- 5 years and fine for those inflicting violence or intimidating PwD. Gender specific clauses make the Act gender sensitive.
6. Central and State Advisory Boards: To set up these advisor boards for policy development. It also strengthens the Officer of Chief Commissioner and State Commissioner for PwDs.

National Policy on Persons with Disabilities, 2006

- ❖ The policy was developed in response to the need to have a comprehensive document that will inform all our decisions and actions in relation to provisions for persons with disabilities.
- ❖ Recognizes that persons with disabilities are valuable human resource for the country and seeks to create an environment that provides them equal opportunities, protection of their rights and full participation in society.
- ❖ The policy is committed to ensure that persons with disabilities exercise their rights through a range of equal opportunities provided through provisions in early identification and support, education, rehabilitation programmes, employment, social security, barrier- free environment, trained human resources, recreation and cultural options, and access to appropriate aids and appliances.
- ❖ The policy makes a special mention of protecting the rights of young children with disabilities to access care, protection and security.
- ❖ Women with disabilities get a special recognition in this policy.
- ❖ The Ministry of Social Justice and Empowerment is the nodal agency to implement the provisions included in the National Policy.

Evaluation of the Policy

The Policy though progressive suffers from the some of the same limitations as the PWD Act, 1995 since the basis of the policy is that act only. It is also not updated in terms of the obligations of the government under UN Convention on Persons with Disabilities. Thus, there is a need to bring about convergence between the policy and Convention along with the new Rights of Persons with Disabilities Act. Also, state governments too should also come out with their own policy as there are very few states having such a policy.

Other Important Acts Focusing on Persons with Disabilities:

1. Mental Healthcare Act, 2017
2. The Rehabilitation Council of India Act, 1992
3. The National Trust (for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities) Act, 1999

Accessible India Campaign

It is a nationwide flagship campaign launched to make barrier-free and conducive environment for Divyangjans (People with Disabilities) all over the country.

The targets of the campaigns are:

- ❖ Completing accessibility audit of at least 25-50 most important government buildings in 50 cities and making them fully accessible by the end of this year.

- ❖ Making 50% of all the government buildings of NCT and all the State capitals fully accessible by December 2018
- ❖ Completing accessibility audit of 50% of government buildings and making them fully accessible in 10 most important cities/towns of States not covered in targets (i) and (ii) by December 2019.
- ❖ A target for skilling 2.5 million PWDs by 2022.

Other than this scheme, there are a number of old schemes in areas of education, employment, scholarship, purchase of aids and appliances etc. that are currently operational.

Accessible India Campaign

- It is the nationwide flagship campaign of the Department of Empowerment of Persons with Disabilities (DEPwD).
- The aim of the Campaign is to make a barrier free and conducive environment for Divyangjans all over the country.
- It is based on the principles of the Social Model of Disability, that disability is caused by the way society is organised, and not the person's limitations and impairments.
- It has been divided into three verticals: Built Environment; Transport and Information & Communication Technology (ICT) ecosystem.

SOME CRITICAL SOCIAL ISSUES IN INDIAN SOCIETY

1. RELATED TO WOMEN

Female Foeticide and Infanticide

Female Foeticide and infanticide are the ugly and earliest manifestations of discrimination against girl or female members of our society. Female foeticide refers to 'aborting the female in the mother's womb'; whereas female infanticide is 'killing the girl child after her birth'. Active methods of killing girls through sex selective abortion and passive methods like discrimination in care and nutrition are used to eliminate the girl child. This malaise is reflected in the sex ratio indicators. Sex ratio in India stands at 940 in 2011 and child sex ratio has shown more continuous decline since 1961 but more alarmingly after 1991. Starting from 1991 the CSR has been constantly lower than overall sex ratio and has decreased by 21 points.

Reasons:

- Preference and urge for male child
- Availability of latest technology
- Poor socio-economic conditions
- Absence of women in decision-making process
- Gender inequality in India
- Instances of sexual harassment and associated law & order problems.
- Decline in moral and ethical standards

Impact:

- Decline in sex ratio
- Early marriages of women often at the cost of their educational empowerment
- Trafficking of women for sexual work and marriage
- Increased crimes against women like sexual harassment, lewd remarks against women, and instances of eve teasing
- Increased fragmentation of land due to increase in male members in household
- Perpetuation of Patriarchy and gender inequality

Measures to Stop Such Practices

- ❖ **Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994**
- ❖ The main purpose of the act is to ban the use of sex selection techniques before or after conception and prevent the misuse of prenatal diagnostic technique for sex selective abortion.

Salient features of the act

- ❖ It regulates the use of pre-natal diagnostic techniques, like ultrasound and amniocentesis by allowing them their use only to detect few cases.
- ❖ No laboratory or centre or clinic will conduct any test including ultrasonography for the purpose of determining the sex of the foetus.
- ❖ No person, including the one who is conducting the procedure as per the law, will communicate the sex of the foetus to the pregnant woman or her relatives by words, signs or any other method.
- ❖ Advertisement for pre-natal and pre-conception sex determination facilities will attract fine of Rs 10000 and imprisonment upto 3 years.
- ❖ The Act mandates compulsory registration of all diagnostic laboratories, all genetic counselling centres, genetic laboratories, genetic clinics and ultrasound clinics.
- ❖ The Act was amended to bring the technique of pre conception sex selection and ultrasound technique within the ambit of the act.
- ❖ The 2003 amendment also empowered the central supervisory board and state level supervisory board was constituted.

Other Measures:

Note: *Women and Child Related Schemes and Initiatives (Refer to Chapter First 'Issues of Vulnerable Sections' of Dhyeya IAS 'Social Justice Book').*

Dowry

Dowry refers to “the property, money, ornaments or any other form of wealth which a man or his family receives from his wife or her family at the time of marriage.” The age-old practice of giving some gifts to the bride on beginning of her new life has now assumed the form of a social evil because the bride's family is compelled to give some dowry as a price for marriage. It has become a social bane and a kind of bargain. It has caused unhappiness, misery and ruin of the bride's family.

The dowry system has led to the deterioration of daughters' position in the society. It has been observed many a times that they are seen as a liability and are often subjected to subjugation and are given second hand treatment may it be in education or other amenities.

Although, there are some legal measures to stop the practice of dowry, yet the practice is rampant in our society. This shows that the legal measures alone are not sufficient to annihilate this evil. Therefore, it is now up to the society to become aware and understand the situation. It up to all of us to take active steps in bringing about the necessary changes and stop either giving or taking dowry.

Important steps to eradicate dowry

- Educate your daughters
- Encourage them to have their own career
- Teach them to be independent and responsible
- Treat them (your daughter) equally without any discrimination
- Do not encourage the practice of giving or taking dowry

However, all these steps will not be effective, if women are not empowered. Therefore, women empowerment is inevitable for eradicating this evil.

The Dowry Prohibition Act, 1961

- ❖ This Act prohibits the practice of giving or taking of dowry by either parties to a marriage. This law also punishes demanding and advertising dowry.
- ❖ It imposes a duty on parties getting married to make a list of gifts and presents.
- ❖ If dowry has been exchanged at a wedding anyway, it imposes a duty on the person who is giving dowry to give it to the bride.

People Liable to be Punished under the Act

- ❖ Any person who gives or takes dowry (minimum punishment of five years);
- ❖ Any person who helps someone to give or take dowry;
- ❖ Anyone who in any way demands dowry;
- ❖ Anyone who advertises and offers to give money or property in return for marrying his son, daughter or relative;
- ❖ Anyone who publishes these advertisements;
- ❖ Anyone who does not hand over the dowry to the bride within the specified time.

2. RELATED TO CHILDREN

Child Labour

What is Child Labour?

The International Labour Organisation (ILO) defines child labour as work that deprives children of their childhood, their potential and their dignity, and that is harmful to their physical and mental development. However, children or adolescents who participate in work that does not affect their health and personal development or interfere with their schooling, is not child labour. Example: helping their parents at home, assisting family or earning pocket money outside school hours and on holidays.

According to 2011 Census, there were more than 10.2 million “economically active” children in the age group of 5 to 14 (5.6 million boys and 4.5 million girls). Child labour has decreased in rural areas however; it has increased drastically in the urban areas. An analysis (2016) by CRY (Child Rights and You) of census data shows that the overall decrease in child labour is only 2.2% per year from 2001 to 2011. There are five states which are the India’s biggest child labour employers- Uttar Pradesh, Bihar, Rajasthan, Madhya Pradesh and Maharashtra.

The problem of child labour continues to pose a big challenge before the nation. The government has been taking various pro-active measures to tackle this problem. However, considering the magnitude and extent of the problem, it can be assumed it is essentially a socio-economic problem inextricably linked to poverty and illiteracy. Therefore, it requires concerted efforts from all sections of the society to make a dent in the problem.

Gurupadswamy Committee

- ❖ Over the years, the Government of India has multiplied its efforts to address the needs and rights of exploited children. Way back in 1979, the Central Government formed the first committee called Gurupadswamy Committee to study the issue of child labour and to suggest measures to tackle it.
- ❖ The Committee examined the problem in detail and made some far-reaching recommendations. It observed that as long as poverty continued, it would be difficult to totally eliminate child labour and hence, any attempt to abolish it through legal recourse would not be a practical proposition.
- ❖ The Committee felt that in the circumstances, the only alternative left was to ban child labour in hazardous areas and to regulate and ameliorate the conditions of work in other areas. It recommended that a multiple policy approach was required in dealing with the problems of working children.
- ❖ Based on the recommendations of Gurupadaswamy Committee, the Child Labour (Prohibition and Regulation) Act was enacted in 1986.
- ❖ The Act prohibits employment of children in certain specified hazardous occupations and processes and regulates the working conditions in others.
- ❖ The list of hazardous occupations and processes is progressively being expanded on the recommendation of Child Labour Technical Advisory Committee constituted under the Act.

National Policy on Child Labour

In consonance with the above approach, a National Policy on Child Labour was formulated in 1987. The policy seeks to adopt a gradual & sequential approach with a focus on rehabilitation of children working in hazardous occupations and processes in the first instance. The Action Plan outlined in the policy for tackling this problem is as follows:

- ❖ Legislative action plan for strict enforcement of Child Labour Act and other labour laws to ensure that children are not employed in hazardous employments, and that the working conditions of children working in non-hazardous

areas are regulated in accordance within provisions of the Child Labour Act. It also entails further identification of additional occupations and processes, which are detrimental to the health and safety of the children.

- ❖ Focusing on general developmental programmes for benefiting child labour: As poverty is the root cause of child labour, the action plan emphasizes the need to cover these children and their families also under various poverty alleviation and employment generation schemes of the government.
- ❖ Project-based plan of action envisages starting of projects in areas of high concentration of child labour. Pursuant to this, in 1988, the National Child Labour Project (NCLP) scheme was launched in nine districts of high child labour endemicity in the country. The scheme envisages running of special schools for child labour withdrawn from work. In the special schools, these children are provided formal/non-formal education along with vocational training, a stipend of Rs.150 per month, supplementary nutrition and regular health checkups so as to prepare them to join regular mainstream schools. Under the scheme, funds are given to the District Collectors for running special schools for child labour. Most of these schools are run by the NGOs in the district. In January 2005, the NCLP scheme has been expanded to 250 districts in 21 different Indian states, covering 42 per cent of all districts of the country.

PENCIL Portal

PENCIL stands for Platform for Effective Enforcement for No Child Labour (PENCIL). The portal is administered by the Ministry of Labour & Employment.

It is an electronic platform that aims at involving Central and State governments, civil society and the general public in achieving the target of child labour free society.

The portal has five components:

- (a) Child Tracking System,
- (b) Complaint Corner,
- (c) State Government,
- (d) National Child Labour Project and
- (e) Convergence

This online portal aims to connect the Centre to the state government, district and to all project societies for effective implementation of NCLP.

Thus, the governments have accordingly been taking proactive steps to tackle this problem through strict enforcement of legislative provisions along with simultaneous rehabilitative measures. State Governments, which are the appropriate implementing authorities, have been conducting regular inspections and raids to detect cases of violations. Since poverty is the root cause of this problem, and enforcement alone cannot help solve it, the governments have been laying a lot of emphasis on the rehabilitation of these children and on improving the economic conditions of their families.

The Supreme Court on Child Labour

The Supreme Court too, in a significant judgment, given on December 10, 1996, while disposing of a public interest litigation by one lawyer, aimed at preventing exploitation of children and safeguarding their economic, social and humanitarian rights, banned child labour on hazardous jobs and ordered the setting up of a Child Labour Rehabilitation Welfare Fund. Offending employer would have to deposit Rs 20,000 as compensation for each child in the fund.

The apex court made it clear that the liability of the employer would in it cease even if he now desired to disengage the child. The court issued comprehensive



directions to central and state governments to see that an adult member of the child's family gets a job in lieu of the child's employment. However, realizing the strain on the resources of the state, the court did not ask the government to ensure alternative employment in every case of the child labourer. Instead, the appropriate government would be required to deposit Rs 5,000 in the fund for each child employed in a factory or mine or any other hazardous employment.

The apex court also directed the concerned states to conduct a survey on child labour within six months, for which the court identified nine industries among primary cases of child labour employers. These industries were: match industry in Sivakasi, Tamil Nadu; diamond polishing industry in Surat, Gujarat; precious stone polishing industry, Jaipur, Rajasthan; glass industry in Firozabad, brassware industry in Moradabad and the handmade carpet industry in Mirzapur-Bhadoi, lock making industry in Aligarh—all in Uttar Pradesh; slate industry in Markapur, Andhra Pradesh, and slate industry in Mandsaur, Madhya Pradesh. The Supreme Court said that the employment given or payment made would cease if the child is not sent for education by the parents. The court warned of penal action in case of non-compliance of the directive.

In the context of non-hazardous jobs, the court directed the appropriate authority to see that the working hours of the child do not exceed four to six hours a day and at least two hours are set aside daily for the child's education. It would also ensure that the entire cost of education was borne by the employer.

An Evaluation

Despite the hope aroused of some improvement in the lot of the child workers, the enactment of the Child Labour (Prohibition and Regulation) Act, 1986, has not goaded either the state governments or the Centre to any sort of purposive action even on a limited front. Nothing illustrates this apathy as the fate of the plan of action announced by the Labour Ministry in August 1987 as an essential component of the National Policy on Child Labour. Of the ten projects drawn up under the plan to enforce the Act and provide welfare inputs in such vulnerable areas as the glass industry in Firozabad, carpet weaving industry in Mirzapur, diamond polishing industry in Surat and match industry in Sivakasi, only one has been taken up on an experimental basis. Considering that this lone project in the match industry is an ongoing one that has since been dovetailed into the action plan, the enunciation of the policy as such has achieved nothing beyond delineating the responsibility of the states and the Centre. If this is the fate of a pilot scheme devised to benefit just 30,000 of the 17 million child labour force, the lot of the rest covered by the Act will be no better than that of the vastly greater numbers slogging for a pittance in the unorganized sector, who are outside the purview of the Act. The idea behind formulating the action plan apparently was to make a beginning with the implementation of the new law and related provisions of other legislations affecting children in such sectors where the incidence of child labour is quite endemic. The failure of the projects to take off inspires no hope about the success of the plan to shift the thrust of the anti-poverty programmes to those segments of society that contribute the bulk of child workers.

To this extent, the enactment of the legislation may have proved ineffective in affording a measure of protection to children forced to earn a living because of the rising rural impoverishment and the struggle for existence in urban areas. The legislation was drafted on the sound premise that since the root cause of poverty cannot be eliminated overnight, the pragmatic approach was to regulate the practice of child labour. Accordingly, the employment of children below 14 years has been allowed in selected areas of the non-hazardous organized sector, with suitable safeguards against their exploitation and provision for educational and recreational facilities. But, a serious omission in the legislation relates to the enforcement machinery, the laxity of which has enabled employers to circumvent the provisions of the law with impunity. Even if punishment for the violation of the new law has been made stiffer, the cheap, flexible and non-complaining labour provided by children creates a vested interest in perpetuating the practice. In the absence of efficient and rigorous inspection machinery, nothing prevents the employers from flouting the legal provisions in the full knowledge that the child workers themselves will become willing accomplices in covering it up. Another lacuna in the Act is the failure to define what constitutes hazardous jobs, while the committee set up to identify permissible jobs has not made much progress.

What Next?

The only way to ensure compliance with the Act is to make punishment for violations more stringent and incorporate a provision for surprise checks and establish a separate vigilance cell. With regard to the workers' interest, it should be made mandatory for all employers to take steps for the intellectual, vocational and educational well-being and upliftment of a child worker, whether one is employed as a factory hand, a domestic servant or a shop assistant.

In this context, the impact of policies which may not be specifically addressed to children but which try to alleviate poverty and inequality can have a significant and even decisive impact. Such policies may include agrarian reforms,

employment generation schemes, dissemination of improved technology among the poor, promotion of the informal sector and creation of cooperatives and social security programmes. Laws and regulations must be backed by effective enforcement machinery. This calls for the strengthening of labour inspection and related services. In order to facilitate the verification of age, an effective system of birth registration should be maintained by the public authorities. It should be made mandatory for employers to maintain registers and documents indicating the names and age of all the employed children.

That children have to work is sad, but that they should work in conditions dangerous to their health and safety is totally unacceptable. Nor can the problem of child labour be left untackled until economic conditions and social structures are fundamentally improved.

Toiling long hours for a pittance, these little breadwinners accept exploitation as a way of life. They only know their sorrows. Though, it is true that labour helps children in their survival, should the children be made to pay for the government's inability to provide alternative employment or inability to curb poverty? Should they be forced to inhabit an adult world, bear adult responsibilities, and suffer abysmal exploitation?

The child workers have no shelter, no food and no education. They run the risk of contracting various ailments and skin diseases. They are vulnerable to exploitation by almost anyone—the employer, the parents, the cops, and even the common man. They become easy targets of drug pushers. They are even sexually abused. Certain principles of policy are, therefore, to be followed by the state so that children get opportunities to develop in a healthy manner and in conditions of freedom and dignity and the childhood and youth are protected against exploitation and moral and material abandonment.

Child Marriage

Child marriage usually refers to a social practice found in some places in India, wherein a young child (usually a girl below the age of fifteen) is married to an adult man. A second form of practice of child marriage is that in which the parents of the two children (the girl and boy) arrange a future marriage. In this practice, the individuals (the boy and girl) do not meet each other until they reach the marriageable age. After that, the wedding ceremony is performed.

Estimates suggest that each year, at least 1.5 million girls under 18 get married in India, which makes it home to the largest number of child brides in the world - accounting for a third of the global total. Nearly 16 per cent adolescent girls aged 15-19 are currently married.

While the prevalence of girls getting married before age 18 has declined from 47 per cent to 27 per cent between 2005-2006 and 2015-2016, it is still too high. (UNICEF)

Marriage systems and practices vary by region, caste and tribe. Rates of child marriage are higher in the North-West and lower in the South-East of the country. The states with the highest rates of child marriage (50% and above) are Bihar, Rajasthan, Jharkhand, Uttar Pradesh, West Bengal, Madhya Pradesh, Andhra Pradesh and Karnataka. But, even in low prevalence states there may be pockets with high rates of child marriage. According to a recent district-level household and facility survey (DLHS), conducted for the Health Ministry, the worst state for child marriage is Bihar, where nearly 70% of women in their early twenties reported having been married by the age of 18; the best is Himachal Pradesh at 9%.

Reasons for Child Marriage

Gender inequality, social norms, perceived low status of girls, poverty, lack of education, safety concerns about girl children and control over sexuality are considered to be reasons for prevalence of child marriages. Girl children in rural areas are more affected than their urban counterparts.

Effects of child marriage

- ❖ Girls who get married at an early age are often more susceptible to the health risks associated with early sexual initiation and childbearing, including HIV and obstetric fistula.
- ❖ Young girls who lack status, power and maturity are often subjected to domestic violence, sexual abuse and social isolation.
- ❖ Early marriage almost always deprives girls of their education or meaningful work, which contributes to persistent poverty.
- ❖ Child Marriage perpetuates an unrelenting cycle of gender inequality, sickness and poverty.
- ❖ Getting the girls married at an early age when they are not physically mature, leads to highest rates of maternal and child mortality.

Legislative Measure to Stop Child Marriage

Prohibition of Child Marriage Act, 2006

- ❖ This Act replaced the Child Marriage Restraint Act, 1929 which was enacted during the British era.
- ❖ This Act presently allows for child marriages, between a boy of under 21 years and a girl under 18 years of age.
- ❖ It defines a child to mean a male below 21 years and female below 18 years.
- ❖ Minor is defined as a person who has not attained the age of majority as per the Majority Act.
- ❖ The legal status of Child Marriage is Voidable if so desired by one of the parties. However, if the consent is obtained by fraud, deceit or if the child is enticed away from his/her lawful guardians, and if the sole purpose is to use the child for other immoral purposes, marriage would be void.
- ❖ There is also a provision for maintenance of girl child. Husband is liable to pay maintenance in case he is a major. In case, the husband is also a minor, his parents would be liable to pay maintenance.
- ❖ It envisages preventing child marriage with punishments of rigorous imprisonment for two years and/ or fine of Rs. 1 lakh.
- ❖ The Act also provides for the appointment of Child Marriage Prohibition Officer whose duties are to prevent child marriages and spread awareness regarding the same.

However, the Act has been grossly inadequate in preventing child marriages.

3. RELATED TO THE AGED

Elder Abuse

Elder abuse is recognized as a continually increasing and serious problem in our society. According to World Health Organization (WHO), it is a violation of human rights and is a significant cause of illness, injury, loss of productivity, isolation and despair. Each year, hundreds of thousands of adults over the age of 60 are abused, neglected or financially exploited. In India alone, a majority of older adults are believed to be abused or neglected at various levels. These statistics are likely an underestimate because most of the victims are unable or afraid to tell the police, family or friends about the violence. In other parts of the world too, elder abuse occurs with little recognition or response. Until recently, this serious social problem was hidden from the public view and considered mostly a private matter. Though, it exists in both developing and developed countries, yet it is typically underreported globally. Thus, even today, elder abuse continues to be a taboo, mostly underestimated and ignored by societies across the world. Despite this, its social and moral significance is obvious. As such, it demands a global multi-faceted response, one which focuses on protecting the rights of older persons.

Definitions

Like ageing, there is no consistent definition of elder abuse. It is generally defined either in a poor or imprecise way, or specifically to reflect the unique statutes or conditions present in specific locations (e.g., states, counties or cities), or for research purposes. As a result, no universally accepted definition does exist. However, several scholars, including Hudson and Johnson (1986) from the US and Stones (1991) from Canada, have attempted to define this phenomenon. The Canadian framework for defining abuse or neglect, for example, contains 71 items grouped into nine categories such as physical assault, excessive restraint, putting health at risk, failure to give care by someone acting as a paid or unpaid caretaker under pressure, humiliating behaviour, abuse in an institution, material (including financial) exploitation and verbal humiliating.

In fact, the concept of 'elder abuse and neglect' was developed in an era when older people were identified as a homogenous group based on chronological age, and were marginalized by an understanding of their capacities that was associated with their exclusion from the labour market and with a perception that their roles in society were limited and subject to decline.

Baumann (1989) argues unequivocally that 'elder abuse and neglect' was socially constructed by professional 'experts' as part of the development of gerontology as a discipline. Baumann's perspective is coincident with that of Leroux and Petrunik (1990: 653), for whom the idea of 'elder abuse' as a social problem emerged from the "public perception of old age as a social problem", where "old age overrides all other statuses and has the most priority in the characterization of the individual". Based on the perception of old people as frail in mind and body, there is "an assured need to protect the elderly" through professional intervention. Moreover, this construction "overrides their status as legally and socially

competent adults.”

The Centers for Disease Control and Prevention (CDC) defines elder abuse as any abuse and neglect of persons aged 60 and older by a caregiver or another person in a relationship involving an expectation of trust.

In 1987, the American Medical Association's Council on Scientific Affairs defined elder abuse as an act or omission that results in harm or threatened harm to the health or welfare of an elderly person.

In brief, it can be stated that a consistent definition is needed to monitor the incidence and examine trends over time. It can also help determine the magnitude of the problem and enables comparisons across locations, which ultimately leads to prevention and intervention efforts. Besides, approaches to define, detect and address elder abuse need to be placed within a cultural context and considered alongside culturally specific risk factors. For example, in some traditional societies, older widows are subjected to forced marriages while in others, isolated older women are accused of witchcraft. Similarly, from a health and social perspectives, unless both primary health care and social service sectors are well equipped to identify and deal with the problem, elder abuse will continue to be underdiagnosed and overlooked.

Forms

There are six types of maltreatment that occur among people over the age of 60. These include:

- ❖ Physical abuse occurs when an elder is injured (e.g., scratched, bitten, slapped, pushed, hit, burned, etc.), assaulted or threatened with a weapon (e.g., knife, gun, or other object), or inappropriately restrained.
 - ❖ Sexual abuse or abusive sexual contact is any sexual contact against an elder's will. This includes acts in which the elder is unable to understand the act or is unable to communicate. Abusive sexual contact is defined as intentional touching (either directly or through the clothing), of the genitalia, anus, groin, breast, mouth, inner thigh, or buttocks.
 - ❖ Psychological or emotional abuse occurs when an elder experiences trauma after exposure to threatening acts or coercive tactics. Examples include humiliation or embarrassment; controlling behaviour (e.g., prohibiting or limiting access to transportation, telephone, money or other resources); social isolation; disregarding or trivializing needs; or damaging or destroying property.
 - ❖ Neglect is the failure or refusal of a caregiver or other responsible person to provide for an elder's basic physical, emotional, or social needs, or failure to protect them from harm. Examples include not providing adequate nutrition, hygiene, clothing, shelter, or access to necessary health care; or failure to prevent exposure to unsafe activities and environments. Some scholars have also added self-neglect to it.
- Abandonment is the willful desertion of an elderly person by caregiver or other responsible person.
- ❖ Financial abuse or exploitation is the unauthorized or improper use of the resources of an elder for monetary or personal benefit, profit, or gain. Examples include forgery, misuse or theft of money or possessions use of coercion or deception to surrender finances or property; or improper use of guardianship or power of attorney.

Indian Scenario

India has an estimated 98 million senior citizens today and their number is expected to increase to 315 million by 2050.

Currently, there are no official statistics available relating to the prevalence of elder abuse in the country. However, it is said that one in three elderly persons is neglected or ill-treated by close relatives. In a recent HelpAge India survey report (2013) too, it was revealed that the main perpetrator comes from within one's family as more than one-fifth (23%) of elderly across the country experienced abuse at home. Another finding that came was that both daughter-in-laws and sons were the primary perpetrators of abuse, with just a negligible difference (39% and 38% respectively). This finding is in contradiction to the general belief that in most of the cases of elder abuse the perpetrators are male.

In 2012, the HelpAge India also conducted a similar survey in 20 cities across the country. Here, we present the main findings of the report:

- ❖ 31 per cent of older persons reported facing abuse.
- ❖ More than half of those abused were facing it for more than four years and all these were facing multiple forms of abuse.
- ❖ 24 per cent older people faced abuse almost daily.

- ❖ 75 per cent of those who faced abuse lived with family and 69 per cent were owners of the house in which they were living.
- ❖ The primary abuser was the son in 56 per cent cases, followed by the daughter-in-law with 23 per cent cases.
- ❖ More than 50 per cent of those abused, had faced this situation for more than 5 years. 33 per cent faced it for up to three years and less than 1 per cent faced it for more than six years.
- ❖ 55 per cent of those abused, did not report it to anyone. More than 80 per cent of these did not report the matter to uphold family honour. 62 per cent older persons suggested the most effective mechanisms to tackle elder abuse was sensitization of children and strengthening of intergenerational bonding and 38 per cent stated it to be economic independence.
- ❖ 18 per cent older persons did not know about any of the currently available redress mechanism whereas 36 per cent knew about one and 46 per cent knew two or three of the options.
- ❖ The older persons considered disrespect, neglect and verbal abuse as elder abuse.
- ❖ Disrespect, followed by neglect and verbal abuse, were thought to be the form in which elder abuse was most prevalent in our society. 6 per cent older persons did not know what constitutes elder abuse. 81 per cent older persons thought that elder abuse was prevalent in our society.
- ❖ Only 22 per cent older persons considered the prevalence rate of elder abuse in society to be high; an equal proportion considered it to be low and 56 per cent said it was moderate.
- ❖ Most of the abused older persons experienced disrespect, neglect and verbal abuse.
- ❖ Little less than 50 per cent of the older persons had seen cases of elder abuse in their surroundings.
- ❖ Out of those who reported abuse, 49 per cent elders chose a family member for reporting/confiding about it.
- ❖ Police helplines and services were known to majority of the respondents but were never used, probably due to lack of trust or to maintain family honour.
- ❖ Delhi NCR witnessed a rise in abuse from last year, with 29.82 per cent elderly stating they faced abuse, as against 12 per cent the year before. Mumbai (Maharashtra) followed a close second to Delhi NCR with 29.46 per cent.
- ❖ Bhopal (Madhya Pradesh) ranked the highest in elder abuse with 77.12 per cent elders stating they faced abuse, followed closely by Guwahati (Assam) with 60.55 per cent and Lucknow (Uttar Pradesh) with 52 per cent.
- ❖ Other than Bhubaneswar (Odisha) with 23.31 per cent, eastern India on an overall basis had high percentage of elder abuse with Guwahati (Assam) 60.55 per cent and Kolkata (West Bengal) 40.93 per cent.
- ❖ 11 per cent of older women and 6 per cent older men did not have any knowledge about the currently available reporting and redress mechanisms. None of the respondents knew about all the available mechanisms.
- ❖ 19 per cent older women knew about one mechanism as compared to 17 per cent men, and 21 per cent women knew two or three mechanism as compared to 25 per cent older men.

Preventive Measures

15 June marks the officially recognized "United Nations World Elder Abuse Awareness Day". Millions of people around the world organize events to raise awareness about this global injustice. Richard Blewitt, HelpAge CEO said, "Our rights do not change as we grow older. Sadly, what does change is that older women and men are considered to be inherently less valuable to society."

As said at the outset, elder abuse spans a broad spectrum. It ranges from physical violence to the neglect of elders, who depend on others for their basic needs. There has always been lack of attention on the part of governments towards this social problem. Actually, older people's rights are protected under international human rights law, but as the existing commitments are not enshrined in human rights treaties, governments have no legal obligation to implement them. Most governments do not see older people as rights holders with responsibilities, but only as recipients of welfare. This attitude needs to be changed. A new UN convention on the rights of older people is necessary to bring about this change. It would provide governments with a legal framework, guidance and support to help them protect older people's rights.

Although, little is known about elder abuse in India, the existing literature and accounts by Indian elders and their families suggest that it is a serious and pervasive problem. Over the past few years, both central and state governments

across the country have crafted policies and programmes, besides enacting laws, to stop abuse, treat its effects and prevent its recurrence. These have already been discussed above in section on 'Ageing'. Besides, the civil society can play a crucial role in prevention of elder abuse from the society. The example of HelpAge is a classic example which is working all over the world for this human cause.

At the most basic level, greater importance must be attached to primary prevention. This requires building a society in which older people are allowed to live out their lives in dignity, adequately provided with the necessities of life and with genuine opportunities for self-fulfillment. For those societies overwhelmed by poverty, the challenge is enormous. Prevention starts with awareness. One important way to raise awareness—both among the public and concerned professionals—is through education and training. Those providing health care and social services at all levels, both in the community and in institutional settings, should receive basic training on the detection of elder abuse. The media are a second powerful tool for raising awareness of the problem and its possible solutions, among the public as well as the authorities.

Programmes, in which older people themselves play a leading role in preventing abuse in their homes, include:

- ❖ Recruiting and training older people to serve as visitors or companions to other older people who are isolated;
- ❖ Creating support groups for victims of elder abuse;
- ❖ Setting up community programmes to stimulate social interaction and participation among the elderly;
- ❖ Building social networks of older people in villages, neighbourhoods or housing units; and
- ❖ Working with older people to create "self-help" programmes that enable them to be productive.

Preventing elder abuse by helping abusers, particularly adult children, to resolve their own problems is a difficult task. Measures that may be useful include:

- ❖ Offering services for the treatment of mental health problems and substance abuse.
- ❖ Making jobs and education available and
- ❖ Finding new ways of resolving conflict, especially where the traditional role of older people in conflict resolution has been eroded.

Much can also be done to prevent abuse of the elderly in institutional settings. Measures that may be useful include:

- ❖ The development and implementation of comprehensive care plans
- ❖ Training for staff
- ❖ Policies and programmes to address work related stress among staff, and
- ❖ The development of policies and programmes to improve the physical and social environment of the institution.

In the words of J. Randal and T. German: "The problems of ageing and elder abuse cannot be solved if the essential needs of older persons, viz., food, shelter, security and access to health care, are not met. The nations all over the world must create such an environment in which ageing is accepted as a natural part of one's life cycle, where anti-ageing attitude, are discouraged, where older people are given the right to live with dignity—free of abuse and exploitation—and are given opportunities to participate fully in educational, cultural, spiritual and economic activities" (1999).

Policy and Programme Initiatives for Elderly Welfare

The Ministry of Social Justice & Empowerment, which is the nodal ministry for this purpose focuses on policies and programmes for the senior citizens in close collaboration with state governments, non-governmental organizations and civil society. The programmes aim at their welfare and maintenance, especially for indigent senior citizens, by supporting old age homes, day care centres, mobile medicare units, etc.

Constitutional Provisions

Article 41 of the Constitution provides that the state shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.

Further, Article 47 provides that the state shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties.

Maintenance and Welfare of Parents and Senior Citizens Act, 2007

The main purpose of bringing out this Act was to provide for more effective provisions for the maintenance and welfare of parents and senior citizens guaranteed and recognized under the Constitution and for matters connected therewith or thereto. In a nutshell, the Act provides for:

- ❖ maintenance of parents/senior citizens by children/relatives made obligatory and justiciable through tribunals;
- ❖ revocation of transfer of property by senior citizens in case of negligence by relatives;
- ❖ penal provision for abandonment of senior citizens;
- ❖ establishment of Old Age Homes for indigent senior citizens; and
- ❖ adequate medical facilities and security for senior citizens.

Section 19 of the Act also envisages a provision of at least old age home for indigent senior citizens with 150 capacities in every district of the country.

The Act has to be brought into force by individual state government. As on February 2010, the Act had been notified by 22 states and all UTs. It is, now, applicable to the Union Territory of Jammu & Kashmir, while Himachal Pradesh has its own Act for senior citizens but citizens of India living abroad will come within its purview.

Maintenance and Welfare of Parents and Senior Citizens (Amendment) Bill, 2019

Key Features

- Preference to applications of those senior citizens above 80-years old if they lodge a complaint about their neglect by their children or non-payment of maintenance.
- All senior citizens homes/home care service agencies should register themselves with the authorities concerned.
- Similarly, there would be minimum standards prescribed for senior citizen care homes.
- Nodal officers for senior citizens in every police station or district level special police unit to hear their grievances.
- A dedicated helpline number for senior citizens in every state to convey their problems.
- The definition 'maintenance' has been expanded to include safety and security of the parents besides taking care of their food, clothing, housing and health care obligations.
- If senior citizens are neglected or not maintained by their children or their sons-in-law or daughters-in-law, they could approach maintenance tribunal for justice.
- Removes the cap of Rs 10,000 as maximum maintenance. Now those who earn more should pay more to their parents as maintenance.
- Violators of the law could be punished with a minimum fine of Rs 5,000 or three months jail term or both.

Source: The Economic Times, 12-05-2019

Rajasthan is among the first states that has notified the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and made rules thereunder, called Rajasthan Maintenance and Welfare of Parents and Senior Citizens Rules, 2010. Accordingly, parents, grandparents and senior citizens who are unable to maintain themselves from their own income and property are entitled to demand maintenance from their children and specified relatives respectively with sufficient means. The maintenance would include provision for food, clothing, residence, medical attendance and treatment. The maximum amount which may be ordered for maintenance of a senior citizen by the tribunal shall be such as prescribed by the State Government which shall not exceed Rs. 10,000 per month.

Rajasthan has also established tribunals at sub-divisional levels with the Sub-Divisional Officer presiding over it to monitor the status of the senior citizens in the area and book the erring wards. The State Government has also constituted an appellate authority in each district to hear appeals against the order of the tribunal. The district magistrate of the concerned district would be the presiding officer of the appellate tribunal. The District Social Welfare Officers of the Social Welfare and Empowerment Department have been designated as the Maintenance Officers.

National Policy on Older Persons, 1999

The National Policy on Older Persons (NPOP) was announced in January 1999 to reaffirm the commitment to ensure the well-being of the older persons. The policy envisages state support to ensure financial and food security, health care, shelter and other needs of older persons, equitable share in development, protection against abuse and exploitation, and availability of services to improve the quality of their lives. The primary objectives are:

- To encourage individuals to make provision for their own as well as their spouse's old age;
- To encourage families to take care of their older family members;
- To enable and support voluntary and non-governmental organizations to supplement the care provided by the family;
- To provide care and protection to the vulnerable elderly people;
- To provide adequate healthcare facility to the elderly;
- To promote research and training facilities to train geriatric care givers and organizers of services for the elderly; and
- To create awareness regarding elderly persons to help them lead productive and independent live.

The implementation strategy adopted for operationalization of national policy envisages the following:

- Preparation of plan of action for operationalization of the national policy.
- Setting up of separate Bureau for Older Persons in Ministry of Social Justice & Empowerment.
- Setting up of Directorates of Older Persons in the states.
- Three-Yearly Public Review of implementation of policy.
- Setting up of a National Council for Older Persons headed by Ministry of Social Justice & Empowerment from Central Ministry, states, non-official members representing NGOs, academic bodies, media and experts as members.
- Establishment of an autonomous National Association of Older Persons.
- Encouraging the participation of local self-government.

National Council for Older Persons

In pursuance of the NPOP, a National Council for Older Persons (NCOI) was constituted in 1999 under the chairpersonship of the Minister for Social Justice and Empowerment to oversee implementation of the policy. The NCOP is the highest body to advise the government in the formulation and implementation of policy and programmes for the aged. The Council was re-constituted in 2005 with members comprising central and state governments, representatives of NGOs, citizens' groups, retired persons' associations, and experts in the field of law, social welfare, and medicine.

Inter-Ministerial Committee on Older Persons

An Inter-Ministerial Committee on Older Persons comprising 22 ministries/departments, and headed by the Secretary, Ministry of Social Justice & Empowerment is another coordination mechanism in implementation of the NPOP. Action plan on ageing issues for implementation by various ministries/departments concerned is considered from time to time by the committee.

4. RELATED TO THE POOR

Bonded Labour

A man keeping another man in perpetual bondage for his selfish and personal objectives is the type of man's cruelty to man which is not confined to a particular country or a particular region but is found as a global phenomenon for hundreds of years, right from the Biblical days to the present era. **The first Global Slavery Index, published by the Australia-based Walk Free Foundation, ranked India on the top with 13.9 million modern slaves out of a total of 26 million in the world. Modern slavery includes traditional slaves, those in debt bondage, forced labour or forced marriage, kids sold and victims of trafficking.** According to International Labour Organization (ILO) estimates of 2013, over 21 million people across the world are trapped as forced labour. Today, the ILO estimates a minimum 11.7 million in forced labour in the Asia-Pacific region, the majority of whom are in debt bondage. **However, the nomenclature changed from period to period and place to place: slave, serf, villein, and bonded labour.** In India, this type of exploitation of man by man has remained prevalent in the name of begar and ryot for years. The term 'bonded labour' or bandhua mazdoor is of recent origin. **Bonded labour is prohibited in India by law vide Articles 21 and 23 of the Constitution. A specific law to prohibit this practice was legislated in 1976 known as the Bonded Labour System (Abolition) Act.** Despite the statutory prohibition, bonded labour is widely practised in India. Lakhs of bonded labourers continue to be exploited and

carry the yoke of neglect, suffering and frustration in abject silence. In fact, the system of bonded labour, as prevalent in Indian society, is a relic of feudal hierarchical society. A considerable interest has come to be shown in the bonded labour during the past three decades by the social workers, social scientists, NGOs and the government because it is considered incompatible with our social ideal of egalitarianism and human rights. Not only adult males and females but children as well are condemned to be suffering under this bondage.

Concept

For developing a conceptual framework, we have to understand two terms: 'bonded labour system' and 'bonded labour'.

Bonded Labour System

The 'bonded labour system' refers to the relationship between a creditor and a debtor who obtains loan owing to economic compulsions confronting his day-to-day life and agrees to abide by the terms dictated by the creditor. The important term of the agreement is that the debtor agrees to mortgage his services or the services of any or all the members of his family for a specified or unspecified period. The relationship built on the agreement is on such unequal terms that while for every labour or service, there must be some fair remuneration equivalent to the price of labour in the market, under the bonded labour system, the service is rendered for the debt or in lieu of the interest accruing to the debt. The debtor either works without receiving any remuneration or if at all there is any remuneration it is much less than the minimum wage (notified under the Minimum Wages Act) or the prevailing rate of market wage.

The 1976 Bonded Labour (Abolition) Act defines 'bonded labour system' as the system of forced labour under which a debtor enters into an agreement with the creditor that he would render service to him either by himself or through any member of his family or any person dependent on him, for a specified or unspecified period, either without wages or for nominal wages, in consideration of loan or any other economic consideration obtained by him or any of his ascendants, or in pursuance of any social obligation, or in pursuance of any obligation devolving on him by succession. The agreement has other consequences too, such as, forfeiting the debtor the freedom of employment, denial of freedom of movement in any part of the country, and denial of the right to sell at market value any of his property or product of his labour.

Bonded Labour

The term 'bonded labour' has been defined by the National Commission on Labour as "labour which remains in bondage for a specific period for the debt incurred". The Commission for Scheduled Castes and Scheduled Tribes explained the term 'bonded labour' in its 24th report as "persons who are forced to work for the creditors for the loan incurred either without wage or on nominal wage".

The 'bonded labour' is different from 'contract labour' employed in industries, mines, plantations, docks, etc. The contract labour includes workers who are not directly recruited by the establishment, whose names do not appear on the pay roll, and who are not paid wages directly by the employer. In theory, the contract labourers in India are covered by the Factory Act, 1948, the Mines Act, 1952, the Plantations Labour Act, 1951 and the Dock Workers Act, 1948 so as to give them benefits as are admissible to labour directly employed.

However, the advantages of employing both bonded labour and contract labour are the same:

- (i) The labour is engaged at the lower cost,
- (ii) The employers have not to extend the fringe benefits to the workers and
- (iii) The employers are not under any obligation of providing welfare and security measures to the workers as stipulated in various Acts.

The system of contract labour in our country was, however, abolished in September 1970 by an Act called Contract Labour (Regulation and Abolition) Act.

The two basic features of bonded labour are: indebtedness and forced labour. The forced labour can hereditarily descend from father to son or be passed on for generations together. During the period of bondage, the debtor cannot seek employment from any other person. In economic terms, this means that he cannot "sell his labour in the market at market value". The bonded labour system is mostly found among agricultural labourers in villages, though today it has extended to workers working in stone quarries, brick kilns, bidi factories, glass factories fireworks factories, textile and carpet factories, gem stones factories, etc. Large number of women and children are employed as bonded labour in these

non-farming sectors. In cities, children are employed as bonded labour in restaurants or often end up being employed as bonded beggars or fall prey to sex trade.

The bonded labourers are known by different names in different parts of India. For example, in Andhra Pradesh and Karnataka, they are known as 'Jeetbamsin'; in Gujarat and Madhya Pradesh as 'Halis'; in Bastar district in Chhattisgarh as 'Kabadis'; in Hyderabad as 'Bhagela'; in Rajasthan as 'Sagris'; in Bihar as 'Ramus' or 'Kamiantis'; in Odisha as 'Gothecs'; in Tamil Nadu as 'Pandiylals'; in Kerala as 'Adiyas' 'Paniyas' and 'Kattunaikens' and in Uttar Pradesh as 'Koltas'. **According to a few recent systematic surveys, non-agricultural sector now has a very significant number of bonded labourers.**

Following types of bonded labour continue to be significant:

- (a) Bonded labour that is a vestige of traditional social relations;
- (b) Bonded labour in agriculture;
- (c) Bonded labour in the rural and urban unorganized and informal sector; and
- (d) Child bonded labour

Causes

Though, the main causes of origin, growth and perpetuation of bonded labour system are economic but the social and religious factors too support the custom.

The economic causes include: extreme poverty of the people, inability to find work for livelihood, inadequate size of the landholdings to support family, lack of alternative small-scale loans for the rural and urban poor, natural calamities like drought, floods, etc., destruction of the standing crops, plague and other diseases leading to death of men and animals, absence of rains, drying away of wells, meagre income from forest produce, and inflation and constant rising prices.

The social factors include: high expenses on occasions like marriage, death, feast, birth of a child, etc., leading to heavy debts, caste-based discrimination, lack of concrete social welfare scheme to safeguard against hunger and illness, non-compulsory and unequal educational system, and indifference and corruption among government officials.

Sometimes, the exploitation by some persons in the village also compels people to migrate to some other place and seek not only employment on the employer's conditions but also get protection from the influential persons. The religious arguments are used to convince the people of low castes that religion enjoins upon them to serve people of high castes. Illiteracy, ignorance, immaturity and lack of skill and professional training sustain such beliefs. Broadly speaking, it may be maintained that bondage originates mainly from economic and social pressures.

Rehabilitation

Getting the bonded labourers identified and freed was the statutory obligation of the state governments only but from November 1987 onwards, the voluntary organizations also came to be authorized both for identification and rehabilitation. **According to a senior government official in the Union Ministry of Labour, over 3,00,000 bonded labourers have been rehabilitated in the 37 years since the Act was passed.** These data are based on the number of bonded labourers who have been able to avail of government benefits after procuring release certificates. This may, however, be an underestimate as the data do not include the actual number of people rescued from bondage since many are unable to produce the necessary documents. But this uncertainty only underlines the fact that accurate estimates of bonded labour are hard to establish, so the current government's claims to having abolished it are decidedly weak on this score. The Government of India's unique scheme of MGNREGA which guarantees 100 days of paid labour in a year has played an important role in securing the stability of rural workers. But to say, bonded labour has been eradicated through a government scheme is to misunderstand the basic concept. By definition, bonded labourers are denied freedom to leave their place of work and are not allowed to work elsewhere by employers for a variety of reasons—past debts being a key one. As a result, they are cut off from access to state or central government benefits and schemes, such as the MGNREGA, to which they are entitled. They simply do not have the freedom to engage in such schemes. The first step in any plan to effectively address the issue of bonded labour must be a concerted effort to ensure their freedom through a robust identification system and official release. It is only once bonded labourers are free that schemes such as the MGNREGA and other government welfare programmes can be converged and made easily accessible to promote the intended benefits to the vulnerable community.

Rehabilitation is both physical and psychological. Physical rehabilitation is essentially economic whereas psychological rehabilitation has to be built up through a process of assurance and reassurance. The two must go side by side. The first prerequisite of psychological rehabilitation is that the freed bonded labourers must be wrenched away from the old habitat and be rehabilitated at a place where they will no longer be subject to the ruinous influence of the erstwhile bonded labour-

keepers. Unless they are psychologically assured that after release from bondage, debt will not regulate their destiny any longer, there is every possibility that they may slide back to debt bondage.

Phases of Rehabilitation

Basically, there are three phases of rehabilitation:

- (i) Immediate physical subsistence after release;
- (ii) Short-term measures to help the freed workers to start a new life (for example, allotment of a house site, assistance for construction of a house, allotment of a plot of agricultural land, supplying a pair of bullocks and agricultural implements, or provision of avenues of gainful employment, etc.); and
- (iii) Long-term measures (such as, arranging credit, training in new skills, developing existing skills, providing a remunerative price support, ensuring non-formal literacy of adult members and formal literacy for children, securing medical care, protection of civil rights etc.).

It is thus the rehabilitation which will give the freed bonded labourers the status of beings so that they may be able to identify themselves with the mainstream of a civilized human society and realize the dignity worthy of human existence.

Lacunae in Effective Rehabilitation

Qualitatively reviewing the implementation of the rehabilitative programmes for the bonded labourers in different states, we find that some states, like Odisha, Uttar Pradesh, Kerala and Andhra Pradesh, point out the welcome features of identification and rehabilitation but some need to introduce many innovative changes.

The following visible lacunae in the implementation of the programme need to be dealt with immediately:

- ❖ **First**, instead of treating the programme in isolation as the programme of a particular ministry/department, there has to be coordination among various concerned ministries/departments like those of agriculture, animal husbandry, irrigation, forest, fisheries, etc., so that the programme is dealt with as an integrated national programme.
- ❖ **Second**, since the social milieu and the social structures which promoted the bonded labour system in the past continue to dominate the village life and the economy even today, they need to be probed into and changed with commitment.
- ❖ **Third**, the development departments are so much burdened with schemes like MNREGS, etc., that their programmes mostly remain time-bound and target-oriented without taking into account the needs, aptitudes and preferences of the beneficiaries. The need is, therefore, to design programmes in such a manner that they serve as target group-oriented rather than target-oriented.
- ❖ **Fourth**, with poor infrastructure and lack of qualified and committed staff and resources, the beneficiaries are not provided protective covers on a long-term basis with the result that very often productive assets turn into liabilities.
- ❖ **Fifth**, middlemen operate like parasites and take away the limited fruits and benefits of rehabilitation to their advantage. What is required, therefore, is carefully and rationally formulated scheme with varied linkages, keeping an eye on the type of infrastructure already available.
- ❖ **Sixth**, the freed bonded labourers, who come from the lowest strata of the society and represent the extremes of poverty and destitution, are unable to exercise the choice of a particular scheme which may be most profitable to them. Their dependence on the concerned officials in selecting a particular scheme for them deprives them of the real benefits of rehabilitation. This dependence needs to be reduced.
- ❖ **Lastly**, the attitude of the erstwhile bonded labour keepers, people at large and officials in various departments has not changed at all towards the poor bonded labourers. Even when the labourers are assaulted by their erstwhile masters and landlords, their land is forcibly taken away, their children are not permitted to pass through the paddy fields of the landlords to reach schools, their animals are whisked away by their exploiters, and they complain to police, approach doctors for help, lodge complaints with the officers of the concerned departments, they (officers, police, doctors, etc.) are not at all moved by their pathetic stories and remain callous, unresponsive, insensitive and ineffective to help them. Without change in the attitude of the people and the officials, the freed labourers cannot withstand the organized onslaughts against them by the more influential sections of the society. Their ignorance, illiteracy and lack of capacity to fight for their rights will always hamper them to enjoy the gains of freedom and development.

Changing social systems and social structures as to benefit the poor who become the bonded labourers is not easy. Let us take two illustrations. A tribal needs money to pay bride-price for his own or his son's marriage. He obtains loan by mortgaging his services and thus becomes a bonded labourer. Similarly, suppose an individual is convicted by court for illicit distillation and is heavily fined. Since he has no money to pay fine, he takes loan from an influential person by pledging his labour and becomes a bonded labourer. Now, is abolishing the custom of bride-price possible? Is imposition of fine by the court for an illegal action wrong? Many economic needs cannot be gratified by the poor individuals without seeking loans. In such cases, what is needed is careful scrutiny of the agreements for obtaining loans so that pledging the labour as security may be prevented and the system of bonded labour may be controlled.

The 'group approach' to development will bring the freed bonded labourers together, enable them to pool their resources, get help from various agencies, departments and banks, and integrate themselves for a common purpose for a qualitative and permanent rehabilitation. Such a group effort can be land-based, craft-based or asset-based for success. This requires proper selection of beneficiaries, the place where they are to be rehabilitated, selection of skills to be taught to them, and building awareness among the beneficiaries themselves and converting them into willing partners in a joint venture for their rehabilitation, progress and advancement.

The crucial problem is that if the freed bonded labourers are not rehabilitated, they will suffer more. The question before them would be: should they choose hunger or slavery, freedom or security, hard work in serfdom or crime to support family and the resultant fear of imprisonment? The Ministry of Labour, Government of India has initiated a centrally-sponsored scheme under which Rs 20,000 are provided for the rehabilitation of each bonded labourer, to be equally contributed by the centre and the state governments. **A Planning Commission report says that the progress of rehabilitation work is very slow. The state government officials lack initiative or remain indifferent to identification and rehabilitation programmes.** The social workers too face many handicaps in their work. It is hoped that the central aid and the involvement of voluntary organizations will make the identification and rehabilitation programmes of the bonded labourers more effective.

Supreme Court on Forced Labour

In 1982, the Supreme Court also declared 'forced labour' as violation of fundamental rights of such labourers, and in 1983 described labour with below the prescribed minimum wages as 'forced labour'. In 1984, it further described the failure of the state governments to implement the provisions of the Bonded Labour (Abolition) Act, 1976 as violation of the Constitution. It also described rehabilitation after release as obligatory so that freed labourers are not driven by poverty, helplessness and despair into serfdom once again. Such judicial interpretations are expected to strengthen the efforts of the state governments and the voluntary organizations in getting the bonded labourers freed from the clutches of their employers.

Initiatives of the National Human Rights Commission (NHRC)

The Supreme Court in a writ petition—Public Union for Civil Liberties vs State of Tamil Nadu & Others—directed the National Human Rights Commission (NHRC) in 1997 to get involved in the monitoring of the implementation of the Bonded Labour System (Abolition) Act, 1976. Since then, the NHRC has been focusing on states where bonded labour is prevalent. During 2011, it took stock of the situation and the following charter of activities has been taken up on the issue of bonded labour:

1. Constitution of core group on bonded labour.
2. Organizing national level seminars on elimination of bonded labour system. One such seminar was organized in 2011 in New Delhi.
3. Workshops to be conducted in bonded labour-prone states to sensitize District Magistrates, Sub-Divisional Magistrates, SSPs and officers from the Labour Department. The Commission has altogether organized five such workshops.
4. Carry out surprise visits to bonded labour-prone areas.
5. Development of an instructional manual on bonded labour.
6. Revised format for monitoring of bonded labour in states.
7. Review existing schemes of the central and state governments on bonded labour.
8. Recommending state governments for organizing orientation training programmes in each bonded labour-prone district.

9. Recommending states to constitute a state-level monitoring and coordination committee under the chairmanship of Chief Secretary with secretaries to government of various departments as members.

In 2000, the NHRC also constituted an expert group chaired by S.R. Sankaran, for identification of bonded labour-prone districts, industries and occupations and for various aspects relating to legislation and implementation. The expert group, in its report submitted to the NHRC in 2001, concluded that although the Ministry of Labour had identified 13 states and 172 districts as being bonded labour-prone, the system is prevalent in almost all states (NHRC, 2001).

Fighting Forced Labour

The plight of the bonded labourers continues to be a serious social problem and a matter of concern for public, government, judiciary, social scientists and social workers. For this purpose, it is necessary that researches be sponsored by different funding agencies to ascertain the extent and the nature of the problem, examine handicaps in identification, utility of various rehabilitation schemes, coordination of activities between central government, state governments and voluntary organizations, necessity of amending the 1976 Act, determining responsibilities and accountability of the concerned officers, and introducing after-care programmes for the freed bonded labourers. Unless serious efforts are taken to save the bonded labourers from ruthless exploitation for vested interests, the problem will continue to be a social menace. The total abolition of the system of bonded labour through legislation may not be feasible in the foreseeing future, yet doing away with the legislation may cause further distress to the victims. Removing poverty, unemployment and illiteracy, which are believed to be the three basic causes of the bonded labour system, is also not easy. The formulation of future plans, programmes and projects for the bonded labourers would require a broad approach and action at various levels.

Way Forward

The problem of bonded labour has, thus, to be fought at various fronts—social, psychological and legal. We have to educate the exploited not to succumb to pressure tactics. We have to tell the exploiters that law cannot be circumvented and has to take its course in democratic India. We have to create committed opinion among the masses. We have to involve not only intellectuals but also the enlightened citizens to carry the message to those who matter. We have to enforce laws rigidly. We have also to impress upon the politicians to tackle the issue with concerted interest and a missionary zeal. The system based on exploitation by a few socially and economically powerful persons, trading on the misery and suffering of large numbers of men, and holding them in a bondage constitutes a shameful feature of our national life. The bondage of the economically impoverished segments of society for a small debt is totally incompatible with the egalitarian socio-economic order promised to Indians. Wiping out this system is basic and crucial to human dignity and conformity to constitutional values.

5. RELATED TO MISCELLANEOUS REASONS

Beggary

The word 'beggar' or 'beggary' is not mentioned in any of the lists of the Constitution. However, as per entry-9 of the State List in the Seventh Schedule of the Constitution, "Relief of the disabled and unemployable" is a State subject. As per entry-15 of the Concurrent List, "Vagrancy" is a concurrent subject. As per information available at present, 20 States and 2 UTs have either enacted their own Anti Beggary Legislation or adopted the legislation enacted by other States. Despite the fact that many States/UTs have enacted laws relating to beggary, however, the provisions of these legislations differ across the States and their status of implementation, including the measures taken for rehabilitation of beggars, are also not uniform.

Bombay Prevention of Begging Act, 1959

It considers begging as a crime rather than a social issue. Anyone perceived as having "no visible means of subsistence" and "wandering about" in public place can be branded a beggar and detained for a period of not less than one year and up to 10 years for second time offenders. If convicted court can also order detention of all those who it thinks are dependent on the beggar.

Controversial Provisions:

- The Act, essentially, criminalises begging.
- It gives police the power to arrest individuals without a warrant.
- It gives magistrates the power to commit them to a "certified institution" (a detention centre).

- Detention could be up to 3 years on the commission of the first "offence", and up to 10 years upon the second "offence".
- Their privacy and dignity is ignored by compelling them to allow themselves to be fingerprinted.
- It authorises the detention of people "dependant" upon the "beggar" (read as family) and separation of children over the age of 5.
- Certified institutions have absolute power over detainees. This includes the power of punishment, and the power to exact "manual work". Disobeying the rules of the institution can land an individual in jail.
- There were concerns that the Act was violating the fundamental rights of the citizen.
- The Delhi HC order is the first in the country to strike down provisions of the 1959 Act.

Alternatives:

Legislative Measure

- The Centre made an attempt at repealing the Act through the Persons in Destitution (Protection, Care and Rehabilitation) Model Bill, 2016.
- It had provisions including doing away with the Beggary Act and some provisions also allowed detention.
- It also proposes rehabilitation centres for the destitute in each district.
- But, the discussion on the Bill was halted in 2016.

Bihar model:

- Bihar government has the Mukhyamantri Bhikshavriti Nivaran Yojana in place.
- Under this, instead of detaining persons under the Act, open homes were set up.
- Through this, community outreach for destitute persons was put in place.
- Now, rehabilitation centres have been set up, with facilities for treatment, family reintegration and vocational training.

Tackling with the Beggary

In spite of considerable efforts made towards raising the socio-economic status of the poorer sections, many challenges remain which need to be addressed so that the lot of the vulnerable can be improved in a time bound and effective manner.

- ❖ A programme is as good or as bad as its implementation and the quality of implementation is largely dependent on the institution implementing the programme/scheme. Systemic modifications to the existing system, which include participation of communities in planning and monitoring and the appointment of government 'facilitators' to improve access.
- ❖ In the area of service delivery the challenges to be addressed include: making a large number of products, public services and information services accessible to vulnerable group, improving participation and completion rates of students from weaker section at various stages of education (elementary, secondary and tertiary), reducing disproportionate incidence of poverty among the persons, enhancing condition of nutrition, health and housing at least upto a reasonable level, identifying exclusive implementing agencies for programmes and strengthening of existing agencies.

Alcohol Abuse

In interpreting the causes of alcoholism, the important thing to bear in mind is that, of those who use alcohol, about 90 per cent do not become alcoholics. The key to alcoholism is in the motive for repeating the drinking. Therefore, explaining alcoholism only in terms of factors like personality structure will be inadequate. No wonder, a psychogenic view is described as an oversimplified explanation of alcoholism.

Psychological Explanation of Alcoholism

One psychological view is that practically all alcoholics show the mark of deprivation of emotional needs during childhood. Clinebell reports four main types of parental attitudes which happen to be associated with alcoholism in adulthood and all of which tend to produce trauma and emotional deprivation in the child:

1. Authoritarianism,
2. Overt rejection,
3. Moralism, and
4. Success worship.

That these factors are the key ones in the formation of an insecure personality resulting in falling prey to alcohol is indicated by the fact that psychological studies of alcoholics repeatedly mention the following personality traits: a high level of anxiety in interpersonal relationships, emotional immaturity, ambivalence towards authority, low frustration tolerance,

low self-esteem, feelings of isolation and guilt. These psychological traits are not the result of alcoholism but are the causes of alcoholism. They are often present in many alcoholics before they take to excessive drinking.

According to some scholars, there seems to be a definite connection between alcoholism and personality maladjustment. Initially, a person drinks to seek refuge for his problems of life or to find a temporary respite from his troubles. Gradually, he starts drinking more and more frequently until he becomes utterly dependent on it. However, psychologists maintain that only those people take to frequent drinking who are emotionally immature and lack self-confidence.

Around what personal problems of adjustment do anxiety, tension, guilt, frustration arise?

According to Bacon (1959: 208), the main problems are:

- An individual's opinion of himself;
- Gaining and holding the respect and the affection of others;
- Conflict with others through self-assertion, through criticism, through out-and-out aggressions;
- Overall security as to ownership, prestige, personal safety as they are tied up with money;
- Responsibilities accepted in the achievement of specific goals; and
- Sexual matters.

Sociological Explanation of Alcoholism

The sociological reasons for taking alcohol are essentially the same as for taking drugs. However, a distinction can be made in the causes of drinking alcohol and taking illicit drugs. Since alcohol is more socially acceptable than drugs, drinking reduces a person's fears, worries and anxieties. Besides, alcohol is more easily available than drugs. It is also cheaper than many drugs like heroin, cocaine and LSD. The main sociological causes of taking alcohol are:

1. Environmental pressures,
2. Peer pressure, and
3. A dominant sub-culture.

The question is: Why do certain persons choose drinking as an answer to environmental pressure while others do not? Here, certainly personality and cultural factors are the major conditioning elements in the individual's experience. Cultural taboos and lack of availability of liquor due to the prohibition policy keep many people away from being exposed to its use. One may conclude from this that alcoholism can be explained only on the basis of a holistic approach rather than a single-factor approach.

A question is raised whether pressures can be located in the culture itself both to cause and to contain alcoholism. It is said that some cultures are better able to develop effective controls over the individual than others. A research in the United States shows that there are very few teetotallers among the Jews (13%), compared to Catholics (21%) and Protestants (41%). In France, Germany and the United States, the use of wine has been very common. It is only recently that alcoholism has become a major crisis in the life of the people of these countries. Once, people start using alcohol because of the cultural sanctions, they use it frequently, especially in situations of insecurity and anxiety.

Consequences of Alcoholism

Alcohol has now become a common word in Indian society. With the impact of globalisation, urbanization, industrialization, media influence and changing lifestyles, alcohol has entered the lives of Indians in a big and unrestricted manner. The consequences of alcoholism—in terms of personal misery, family budget, family discord, loss of wages, failure of health, accidents and cost in damage claims, cost of hospital treatment, cost in custodial treatment in jail, monetary damage in courts, and inducement to crime—are almost disastrous. Social deviance and social problems emerge from the use and abuse of alcohol. Though, the number of annual arrests for public drunkenness is not much in our country, it is a known fact that a large number of alcoholics are not arrested because of the fact that arrest is not considered a good solution to the problem. A good number of persons arrested for crimes like rape, burglary, murder and theft are those who committed them while under the influence of alcohol. Alcohol is a major factor in highway accidents. Besides, it contributes to thousands of deaths every year.

A high percentage of admissions to hospitals, particularly mental hospitals, is related to persons with 'alcoholic disorders' or a 'drinking problem'. Other socially deviant acts related to alcohol/drugs are thefts, bribes, wife battering, and suicides. Studies on suicide point out that the suicide rate is 50 times higher among alcoholics/drug users than non-alcoholics and non-drug users.

Since alcoholics/drug users directly affect four or five other persons (wife, parents, children, siblings, close friends, co-workers), the problem affects millions of people in the country. Families of alcoholics and drug users suffer the most. Even family violence, family unrest and divorce is caused by alcoholism. Drinking affects the business, the office efficiency and factory production also. Absenteeism, low output and poor judgment leading to work-related accidents, costs the government billions of rupees. Most factory-owners indicate a lack of interest and deny the existence of these problems among their employees in the factories/offices to save themselves the botheration of adopting effective measures for prevention.

The drinker thinks that alcohol will reduce his tension, guilt, anxiety and frustration. But, the fact is that it reduces his operational efficiency to below the minimum level necessary for social existence or even for a bare existence. A drinker harbours the mistaken notion that alcohol can make association and interpersonal activity easier in society. But, in reality, alcohol breaks down an individual's participation in associations and thus socially weakens the individual. It impairs socially valuable ideas.

The Problem of Bootlegging

One consequence of alcoholism is that it has increased illicit bootlegging. Since independence, hundreds of tragedies have taken place throughout the country in which thousands of people have died on consuming liquor produced illicitly. The country liquor has various brands though all of them are generally of the same quality and price. The alcohol content in the country liquor is about 28 per cent, while in sura it is 32 per cent. Usually pyridine is used for denaturizing rectified spirits. This is neutralized by citric acid. As the rectified spirit is licensed, sometimes it is adulterated with methylated spirit. The poisonous drinks damage the eyesight, liver and kidney in the long run. The administration will remain unresponsive to tragedies of taking illicit liquor and the government will have lackadaisical attitude in tackling this problem. At the most it will give an ex-gratia payment of Rs 1 lakh or so to the families of those killed in such tragedies. The perfidious role of bootleggers, their muscle and money power are a matter of record in communal riots. Many cities in the country are torn asunder by the bootlegger-police-politician nexus. The margin of profit in bootlegging is estimated to be 9 to 12 times the actual investment. No wonder, a number of anti-social elements make it their business to manufacture, transport and distribute illicit liquor. Justice Miyabhoy Commission instituted by the Gujarat government in 1981 to enquire into the prohibition policy of the state submitted his report in 1983 and pointed out the nexus between baron bootleggers and politicians and the fact that almost all the bootleggers in the state (Gujarat) were anti-social elements capable of terrorizing anyone trying to expose them.

Recently, it has been observed that curbs on liquor lead to more deaths. According to government statistics for the years 2009-11, states with restricted consumption top hooch tragedies tally compared to those with unrestrictive consumption. For example, states like Gujarat, Tamil Nadu, Karnataka and Andhra Pradesh—all with complete or partial ban on alcohol—that record maximum deaths in hooch tragedies. The data shows that Tamil Nadu has recorded, 1,095 deaths, with Karnataka a distant second with 599 deaths, followed by Punjab and West Bengal—both recording over 400 deaths—and Gujarat ranked fifth with 396 deaths due to spurious liquor between 2009 and 2011. Conversely, states such as Goa, where consumption of legitimate alcohol is promoted with low taxes, there have been no instances of hooch tragedies during this period and the state has recorded zero deaths.

Role of Women

Women activists, women's organizations and even ordinary housewives in both urban and rural areas can spearhead the struggle to convince men against liquor consumption and force governments to introduce prohibition. They can demand the political parties to include prohibition in their poll manifestoes. It was in 1993 when a small group of neo-literate women in Dabbagunta village in Nellore district in Andhra Pradesh, fed up with the drunkenness of their men, attacked a liquor shop, drove away its owners and destroyed the stocks of indigenous wine. The spark provided by the unorganized women of a small dusty village caught the imagination of the womenfolk all over Andhra Pradesh, from where the agitation spread to other states in the country.

Control on Alcoholism

With the failure of the prohibition model, state governmental control has come to be focused on the regulation of the liquor trade. The state governments, under the open license system, leave the alcoholic beverage trade to private enterprise under licensing and regulation, the nominal public objectives being to eliminate people with criminal or questionable financial histories and to control the physical location of licensed liquor shops. Every state government earns crores of rupees every year when it auctions the contracts.

Radicals argue that as long as our social structure and economic system continues to produce inequality, unemployment, poverty, injustice, and role-strains and tensions, alcoholism will persist. Since the present social systems operating in our society produce more frustrations and deprivations, the rate of drinking would only accelerate in future. What is, therefore, needed is a policy and programme to produce more jobs, permit fair competition and reduce corruption and nepotism in appointments and promotions. If the lives of people are made meaningful, rewarding and satisfying, the need for alcohol would not exist or it will be minimized. Secondly, education about the harm and hurt that alcohol can bring to a person's life and to society will help control the use of alcohol. Parents can impart education on the dangers of becoming an alcoholic as well as punish the deviants and create the necessary fear. Parents' education should be concerned with shaping the attitudes and behaviour conducive to non-drinking. Lastly, schools and colleges can also educate young students about the psychological and sociological effects of alcohol and alcoholism.

It is indeed a tragedy that our governments and political parties have not been able to follow the ideals we cherished during our struggle for independence. Gandhiji could not think of an independent India without prohibition. For him, prohibition was an integral part of the freedom movement. He categorically declared that if he were to be appointed dictator of the country for one hour, his first action would be to close all liquor shops without paying compensation. He was so emphatic in his assertions that he was even prepared to let the people go without education, if that was the price to be paid for introducing prohibition. According to him, the evil of drinking was worse than theft and even prostitution, as it was the mother of both these evils.

It may, thus, be concluded that the problem of alcoholism calls for a concerted attack which may embrace treatment, social measures, education and research.



Summary

Empowerment:

- Empowerment is the expansion of assets and capabilities of poor people to participate in, negotiate with, influence, control and hold accountable institutions that affect their lives.
- Assets refer to material assets both physical and financial.
- Capabilities are inherent in people and enable them to use their assets in different ways to increase their well-being.

Elements of Empowerment:

- Access to information
- Inclusion and participation
- Accountability
- Local organizational capacity

Social Empowerment:

- It is the process of developing a sense of autonomy and self-confidence and acting individually and collectively to change social relationships and the Institutions and discourse that exclude weaker people and keep them in exclusion.

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Social Empowerment:

- It is the process of developing a sense of autonomy and self-confidence and acting individually and collectively to change social relationships and the Institutions and discourse that exclude weaker people and keep them in exclusion.
- Social Inequality: Patterns of unequal access to social resources are commonly called social inequality.
- Social Stratification: It refers to a system by which categories of people in a society are ranked in a hierarchy.
- Social stratification is a characteristic of society, not simply a function of individual differences.
- It persists over generation.
- It is supported by patterns of belief or ideology.
- Prejudice: It refers to pre-conceived opinions or attitudes held by members of one group towards another.
- Stereotype: It is fixed and inflexible characterization of a group of people.
- Discrimination: If prejudice describes attitudes and opinions, discrimination refers to actual behaviour towards another group or individual.
- Social Exclusion: It refers to the ways in which individuals may become cutoff from full involvement in the wider society.

Empowerment of weaker sections in India:

Constitutional Safeguards:

- Articles 46, 23, 24, 15, 16, and 29 etc. have provisions for the welfare and empowerment of weaker sections of the society.

Empowerment of Scheduled Tribes:

- Articles 15, 29, 46 and 350 provide educational and cultural safeguards.
- Articles 23 and 24 provide social safeguards.
- Articles 244 and 275 provide economic safeguards.
- Articles 164 (1), 330, 332 and 334 etc. provide political safeguards.

Safeguards under Various Laws:

- The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Rules 1995 framed there under.
- Bonded Labour System (Abolition) Act 1976 (in respect of Scheduled Tribes);
- The Child Labour (Prohibition and Regulation) Act 1986;
- States Acts & Regulations concerning alienation & restoration of land belonging to STs;
- Forest Conservation Act 1980;
- Panchayati raj (Extension to Scheduled Areas) Act 1996;
- The Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
- Minimum Wages Act 1948.
- The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (Published on 6th Jan 2016).
- The Nomadic, Semi-Nomadic and De-notified Tribes cover the 200 communities that were identified by the colonial government as criminal tribes under a notorious legislation called Criminal Tribes Act, 1871.
- The Government had constituted a National Commission for such tribes in January, 2015.
- The Commission was chaired by Bhiku Ramji Idate. It submitted its report in January, 2018.

Key Recommendations:

- Set up a Permanent Commission for them on the lines of similar commissions for Scheduled Castes, Scheduled Tribes, and Other Backward Classes.
- Set up a dedicated National Finance Development Corporation for them.
- Set up a working group under NITI Aayog to look into various policy issues relating to the communities.
- Grant Constitutional protection to these communities, under a separate third schedule after Scheduled Castes and Scheduled Tribes making them eligible for reservation, and extending the protective cover of Prevention of Atrocities Act to them.

Empowerment of SCs:

- Articles 330, 332, 243D, 15 (4), 16 and 17 etc. provide certain safeguards for the empowerment of the SCs.

Women Empowerment:

- Women empowerment is a process which is both on-going and dynamic and which enhances women's ability to change those structures and ideologies which keep them subordinate.
- The National Mission for Empowerment of Women was launched by the government of India on International Women's Day in 2010 with the aim to strengthen overall processes that promote all round development of women.

Child Protection and Development:

- Article 21A provides Right to Education.
- Article 23 prohibits trafficking of human beings and forced labour.
- Article 24 prohibits employment of children below the age of 14 years in factories, mines or any other hazardous occupation.

National Policy for Children:

- The Policy has identified four key priority areas:
 - Survival, health and nutrition
 - Education and development
 - Protection
 - Participation for focused attention
- Also, National Action Plan for Children was launched in 2016.
- The Plan emphasises the above mentioned four key priority areas.

Empowerment of Minorities:**Main Recommendations of Justice Rajendra Sachar Committee:**

- Set up an Equal Opportunity Commission to look into grievances of deprived groups like minorities.
- Create a nomination procedure to increase participation of minorities in public bodies.
- Establish a delimitation procedure that does not reserve constituencies with high minority population for SCs.
- Increase employment share of Muslims, particularly where there is great deal of public dealing. Work out mechanisms to link madarasas with higher secondary school board.
- Recognise degrees from madarasas for eligibility in defence, civil and banking examinations.
- Prime Minister's 15 Point Programme for the Welfare of Minorities:
 - It was launched by the Indian Government in 2006 for the welfare of religious minorities.

Empowerment of the Disabled:

- The 2011 Census highlights that there are 21.9 million disabled people in India constituting 2.13% of the population.

Issues of the Disabled in India:

- Low literacy levels
- Lack of daily living skills
- Lack of self-esteem and confidence

Right of Persons with Disabilities Act, 2016

- The Act empowers persons with disabilities with the right to equality, preservation of dignity and personal liberty. It also protects against the discrimination.
- National Policy on Persons with Disabilities was also launched in 2006 for the Welfare of the disabled.

Accessible India Campaign:

- It is the nationwide flagship campaign launched to make barrier-free and conducive environment for the disabled all over the country.

Some Critical Social Issues in India:**Related to Women:****Female Foeticide and Infanticide:**

- Female foeticide refers to aborting the female in the mother's womb whereas female infanticide is killing the girl child after her birth.
- Pre-conception and Pre-natal Diagnostic Techniques Act, 1994 was enacted to stop female foeticide.

Dowry:

- It refers to the property, money, ornaments or any other form of wealth which a man or his family receives from his wife or her family at the time of marriage.
- The Dowry Prohibition Act, 1961 was made to stop the practice of dowry.

Related to Children:**Child Labour:**

- Gurupadswami Committee examined the problem of child labour in detail and made some far-reaching recommendations.
- National Policy on Child Labour was formulated in 1987.
- National Child Labour Project was launched in 1988.

Child Marriage:

- Estimates suggest that each year at least 1.5 million girls under 18 get married in India which makes it home to the largest number of child brides in the world.
- Prohibition of Child Marriage Act was made in 2006.

Related to the Aged:

Elder Abuse:

- Currently there are no official statistics available relating to the prevalence of elder abuse in the country.
- Article 41 contains some welfare measures for the aged.
- Maintenance and Welfare of Parents and Senior Citizens Act was made in 2007.
- Before it, National Policy on Older Persons was finalized in 1999.
- National Council for Older Persons was constituted in 1999.

Related to the Poor:

Bonded Labour:

- It is a type of labour which remains in bondage for a specific period for the debt incurred.

Related to Miscellaneous Reasons:

- Beggary - Alcohol Abuse

Structure

- ❖ Objectives
- ❖ Introduction
 - 1. Understanding Communalism
 - 2. Features of Communalism
 - 3. Fundamentalism, Communalism and Secularism
- ❖ India and Communalism
 - 1. Communalism and Indian Social Structure
 - 2. Communalism and Indian Democracy
- ❖ Communal Violence
 - 1. Violence
 - 2. Communalism and Communal Violence
 - 3. Causes of Communal Violence in India
 - Historical Reasons
 - Divide and Rule Policy
 - Partition of Bengal and Swadeshi Movement
 - Partition of the Country
 - Religious Reasons
 - Hurting Religious Sentiments
 - Socio-economic Reasons
 - Struggle for Identity or Class Conflict
 - Competing Interests
 - Political Reasons
 - Miscellaneous Reasons
 - Administrative Failure
 - Lack of Communication
 - Sense of Insecurity and Fear
 - 4. Impact of Communalism on Indian Society
- ❖ Steps for Maintenance of Communal Harmony
 - 1. Communal Violence Bill
 - 2. National Communal Harmony Foundation
 - 3. National Communal Harmony Awards
- ❖ Summary
- ❖ UPSC Previous Year Questions

- Prelims Questions
- Mains Questions with Approach
- Prelims/Mains Question Trend Analysis

Objectives

In this chapter, we shall study:

- The Meaning of communalism
- India and communalism
- Communal violence
- Steps for maintenance of communal harmony

INTRODUCTION

1. UNDERSTANDING COMMUNALISM

Communalism refers to a strong sense of loyalty to the interests of one particular group (religious, racial, ethnic, etc.) rather than to society as a whole which can lead to extreme behaviour or violence towards others. It denotes attempts to construct identity (religious or ethnic) and provoke conflict between people of different communities. This ultimately leads to violence between those groups.

Communalism arises when one or two characteristics of an ethnic identity e.g., religious beliefs are taken and emotionally surcharged. Communal movements are often brief and exist in a dyad, comprising an opposing force or ideology which has to be countered. Unlike fundamentalism, communalism can only exist dyadically.

Clifford Geertz, an American anthropologist, wrote, "When we speak of communalism in India, we refer to religious contrasts, when we speak of it in Malaya we are mainly concerned with racial ones, and in the Congo with tribal ones". Thus, when we talk of India, we are talking mainly of religion-based oppositions. This point has been aptly pointed out by Nadeem Hasnain in his book "Indian Society and Culture". After simplifying the definition of communalism given by W.C. Smith (a Canadian religious scholar) he claims that communalism is an ideology based on the belief that society is divided into religious communities whose interests differ and are opposed to each other and hence antagonistic in nature.

Communalism has a colonial legacy wherein the rulers (Britishers) used religious contrasts, existing among the different communities to their advantage by giving them prominence. In India, communalism generally is seen as Hindu-Muslim conflict. It took deep roots in Indian polity during the later phase of the national movement and this was encouraged by the colonial rulers. This process was a continuation of the weakness and inadequacy of secularism as conceived and practiced during the anti-colonial struggle.

The ideology of communalism in India has been that the different communities in India cannot co-exist to their mutual benefit, that the minorities will become victims of Hindu subjugation and that the historically created situation nor culture will allow cooperation.

It is implicit in all the theories that the growth of Hindu-Muslim tension was not natural and it was an inevitable outcome of changes taking place in the Indian society. Partition was the culmination of the conflict which could and should have been avoided.

2. FEATURES OF COMMUNALISM

India is a land of multiple faiths and religions leading often to violence and hatred among the people. Those who fan this religious violence do not consider religion as a moral order but use it as a means and weapon to pursue their political ambitions. Communalism essentially leads to violence as it is based on mutual religious hatred. This phenomenon leads to distinction between a communal organisation and a religious organisation. Communalism essentially has following main features.

1. It is based on orthodoxy.
2. It is exclusive in outlook; a communalist considers his own religion to be superior to other religions.
3. It is based on intolerance.

4. It also propagates intense dislike of other religions.
5. It stands for elimination of other religions and its values.
6. It adopts extremist tactics including use of violence against other people.

3. FUNDAMENTALISM, COMMUNALISM AND SECULARISM

Fundamentalism as a concept was first used in 1910-1915. It was because of publication of a series of literature known as 'The fundamentals' by conservative protestant groups. They were religious texts edited by popular evangelists and teachers whose intentions were to mark down those basic 'truth' which constituted the foundations of Christianity. In the early 20s the print media used this word with reference to these religious groups in North America.

These groups were concerned about liberal interpretations of the Bible. Alarmed by this interpretations by the fundamentalists the conservatives insisted on some "fundamentals" of faith. Such as belief in the divinity, virgin birth, the physical resurrection of Jesus Christ and the infallibility of the scripture. This often led to intolerance of any form of disagreement or dissent. Thus, there was a perception that fundamentalists were bigoted and narrow minded.

The main aspects of fundamentalism are criticising the culture, assertion of spiritual authority and attaining the political power. Where as communalism is a situation in which, religion and religious communities view each other with antagonism and hostility, which may lead to open conflict such as in communal riots.

While fundamentalism and communalism are widely held to the problematic and disintegrative, the ideology of secularism is held to be a palliative solution to the above. Although, there is no single definition of secularism which could be applied world-wide, yet it was first applied to separate the Church from the King. This was the political dimension. In the social sphere, secular meant separating the strangle hold of religion over the individual's life. In the Indian context, it proclaims the existence of spiritual values which can be stressed in a variety of ways. Dimensions of secularism are:

- I. The separation of state from religion.
- II. Equal and impartial treatment of all communities by the state.
- III. Approaching religious beliefs in a spirit of objective rationality.
- IV. Ensuring a just standard of living for all people irrespective of community.

INDIA & COMMUNALISM

1. COMMUNALISM AND INDIAN SOCIAL STRUCTURE

The ideology of communalism in India was and still is that the different communities in India cannot co-exist to their mutual benefit, that the minorities will become victims of Hindu subjugation and that the neither historically created situation nor culture will allow cooperation. **Communalism took deep roots in Indian polity during the later phase of the national movement and this was encouraged by the colonial rulers.** This process was a continuation of the weakness and inadequacy of secularism as conceived and practised during the anti-colonial struggle. Partition was the culmination of the conflict which could and should have been avoided. Communal forces are, therefore, viewed as division and a sign of political underdevelopment.

Communalism arises when one or two characteristics of ethnic identity, e.g. religious beliefs, are taken and emotionally surcharged. Communal movements are often brief and exist in a dyad, comprising an opposing force or ideology which has to be countered. Unlike fundamentalism, communalism can only exist dyadically.

Hindu-Muslims riots reflected the religious fears and socio-economic aspirations of the Hindus and Muslims. Sometimes, these riots occur for very minor reasons such as quarrels between Muslim and Hindu shopkeepers. The important point is that these are not isolated acts but often deliberate mechanizations of various socio-religious organisations. Recurrent collisions were engineered on festivals by stopping them and various religious occasions by interfering in their process. This was done to inflame communal passions and bitterness.

2. COMMUNALISM AND INDIAN DEMOCRACY

The 'nation-to-be', argued Gandhi, should draw from Hindu, Muslim, and all other communities. The idea was to draw popular symbols into the political mainstream creating a national identity. This ideology was successful in political mobilization. Gandhi's orthodox plural theory of secular nationalism was popular due to various reasons:

- I. The strong religious feeling among different classes and communities. This Gandhi mobilized for a popular base to nationalism.
- II. Again while desiring to uplift the downtrodden it did not deprive the rich, industrial, commercial classes from the control over social and economic power.
- III. However, it has certain problems so far as the post-independent 1947 era was concerned.
- IV. Gandhi's idea that religious cleavages which could be handled by using religious loyalties and thus lead to nationhood proved wrong. The idea of orthodox pluralism heightened rather than reduced the rift between different religious communities.
- V. The ideologies drew the rich and powerful into the national struggle and ensured that they dominated post-independence India.
- VI. Another theory which gained some ground had the dream of a secular polity which reflected the dream of the poor masses, both in rural and urban areas.

In Indian democracy, religious loyalties were relegated away from national identity. National identity it was felt could only be based upon politics, which linked socio-economic facts with the reality of nationhood. Religion was to be a private thing and not to trade upon the domain of politics. **Nehru wrote in 1961 that being Secular did not mean being opposed to religion.**

COMMUNAL VIOLENCE

Communal violence includes and encompasses violent acts, which may be defined as crimes in law, but there are many other acts not falling strictly under criminal activities. The devastating effect of communal violence is much more dangerous and alarming than if it were simply a riot/crime.

The terms 'communal violence' and 'communal riots' have not been defined in the Indian Penal Code (IPC), 1861 or Criminal Procedure Code (CrPC), 1973. The IPC merely defines 'unlawful assembly' (section 141) and 'riot' (section 146). The definition of 'riot' makes every member of an unlawful assembly guilty of rioting. It contains two essentials, namely:

- Use of force or violence by any unlawful assembly or by any member thereof; and
- Such force or violence should have been used in prosecution of the common object of such assembly.

The police use these sections of the IPC to deal with communal violence. The definition of unlawful assembly leaves room for interpretation as to whether when and how an assembly becomes 'unlawful' and whether or not a particular incident was a 'communal riot'. Only those incidents of violence come under the purview of 'rioting' that constitute offence under the IPC. The police count as a 'communal incident' any violent incident in which the opposing parties happen to be members of the two communities, irrespective of the cause. This provides scope for police discretion.

In other words, communal violence means violence against a group or an individual targeted because of a communal identity. The target identification, in most of the cases, is guided by a strong belief that the interests of a community having common religion could be protected and furthered by causing injuries to the members of the other religious community.

Communal violence can never be explained in terms of religion alone. The religious factor is not the real one behind it, but it is exploited to suit one's own end. When religious sentiments and cultural ethos are manipulated for selfish gains, the result is communal tension or communal violence.

1. VIOLENCE

Violence may be divided into two broad categories:

1. Individual violence; and
2. Social violence

'Individual violence' consists of heinous crime of murder and grievous hurt, including attempts at dacoity, robbery, wrongful confinement and serious assaults. The public is tolerant with crime against property but crime of violence generates fear, specially fear of strangers. The fear of strangers has affected social order, mobility, mutual distrust and withdrawal and finally the quality of life.

'Individual violence' is defined as "a behaviour that injures a person who does not want to be harmed." Robert Baron has focused on four salient features of violence:

1. Behaviour;
2. Intention to harm;
3. Human being as a victim and aggressor; and
4. Reluctance of the victim to be harmed

M. Janowitz defined 'social violence' that includes both communal and commodity riots, as "communal violence refers to physical attacks against one group by another; commodity riots refer to violence against property including damage, destruction and looting of shops, houses and other establishments."

One cannot deny the fact that communal violence takes place in an atmosphere of religious prejudice, deep-hatred, deep-rooted passions, jealousies and negative attitudes against the opposite group. Communal violence may commence after the happening of a minor, petty, or serious incident and the subsequent hostility against that group of persons continues simply because the opposite group belongs to a different community. Eruption of violence based on religion, community, region, caste, sex, etc., creates the law and order problem in the society. Religion and caste, by aligning with politics, tend to generate communal violence. The caste, community or religion based biases have been found to play a crucial role in augmenting communal violence. Communal violence occurs repeatedly in the same locality because the perpetrators of violence are hardly arrested and punished. The most communal clashes are usually pre-planned. The preparation for large-scale communal violence starts much before than its actual occurrence.

A communal incident between two communities takes place mostly on petty matters, i.e., causing an accident on the road, use of loudspeakers, eve teasing, or similar instances often spark off the communal fire. Such an incident creates disturbance in that particular locality and creates tensions among the residents of that locality, and though mostly localized, often spreads to other areas of the town. News of the communal tension spreads to other areas of the entire town or village where both groups are staying. If both the groups start assaulting persons and attacking the property of one against another, it may be termed as communal incident as distinguished from the communal tension. Presence of large population of the minority population in a town intensifies political rivalry between the elites of the two communities who try to mobilize the voters by appealing to their respective communal identities.

2. COMMUNALISM AND COMMUNAL VIOLENCE

The communal violence may be traced back to the medieval period of history but communalism is a modern creation, one of the by-products of the Colonial economy. Communalism and communal violence may not be mistaken to be the same thing. At surface, communalism and communal violence may appear to be the same thing but both are distinguishable. Communalism is and above all an ideology. Communal violence is linked to communal ideology. Therefore, the outcome of communalism is communal riots and other forms of communal violence. It is possible for communal ideology to exist and pervade for years or even decades without communal violence taking place at all.

Communalism breeds communal politics whereas communal violence is the clear manifestation of communal tension. Communal ideology leads in many cases to communal violence and riots. However, the former is primary and the cause, the later i.e., violence is secondary and the effect. Rioting, looting, killing and other forms of communal violence are contingent or conjectural forms of communal thinking. It is much easier for communal forces to engineer communal violence, if communal ideologies become stronger in the society. Spread of communalism is a necessary condition for communal violence. To engineer communal violence, communal atmosphere need to be generated. A communal riot hits the headlines and compels us to pay attention. However, it is outcome of the prior spread of communal ideology.

The difference between communal ideology and communal violence is crucial because the two have to be dealt with differently and have different relation with the state. Eradication of communal ideology is a long-term process. Communal violence requires an immediate action and effective use of law enforcement agencies at the disposal of the state.

Therefore, communal ideology can prevail without violence but communal violence cannot take place without prior spread of communal ideology. No doubt, communal violence acts as a means of spreading communal ideology.

Even after 73 years of our independence, the evil of communalism has certainly not stopped spinning and the disease of communalism persists. It is a very complex phenomenon. There are various factors involved—religious, political,

economic, social and psychological of which political factor is predominant in India. **The psychology of communalism promotes ideological fundamentalism, intolerance, narrow mindedness, appeasement and favoritism.**

It is not only communal forces that exaggerate the cruelty of the other community in order to provoke their own community to violence but even the relatively liberal intellectual class tries to justify the violent acts of its own community. In India, Hindu and Muslim communalists can witness this attempt.

In the pre-partition days, communalism was exploited by leaders for a share of power at the centre, which eventually culminated in the partition of the country. After independence, ironically enough, the communalists for secular ends have exploited communalism.

Mob Violence/Lynching

Mob violence/lynching is an inhuman act of attacking a person spontaneously or with a pre-determined move by a violent group of people, in order to cause injury sometimes leads to death. In 2018, the Supreme Court described lynching as a "horrendous act of mobocracy".

In India, most cases of mob lynching are due to casteism, religious differences including cow vigilantism, aggression or outrage and political differences among people. Some recent incidents of mob violence are as follows:

Incidents related to cow vigilantism:

- On 17 June 2019, 24-year-old Tabrez Ansari was attacked by a lynch mob in Jharkhand. Ansari, was tied to a tree, brutally beaten and forced to chant Hindu religious slogans. He died four days later. The incident came to light after a video of the lynching went viral.
- Such incidents have been witnessed in the recent past. Mohammad Akhlaq, Pehlu Khan and Shakthival (a Dalit man) are some of those who fell victims to mob-lynching.

Child abduction:

- Two Hindu sadhus and their driver were lynched and killed by a group of villagers in Palghar, who mistaken three passengers as thieves on April 16, 2020.
- Two men were lynched allegedly by local villagers in Assam's Karbi Anglong district on suspicion of being "child lifters"
- Lynching is a form of violence in which a mob, under the pretext of administering justice without trial, executes a presumed offender, often after inflicting torture and corporal mutilation.

Instances of lynchings and similar mob violence can be found in every society. Mob lynching in India has increased in recent past. Crime against minority especially religious minority and killing of girls in the name of honour are not only serious crimes but a malaise that threaten our secular and social fabric.

Law on Mob-lynching:

- There is no Parliamentary law on mob-lynching. However, the Manipur Government has enacted a law on lynching. This Law is in sync with the Supreme Court guidelines.

Key Provisions:

- The Law defines mob-lynching.
- It specified that there would be nodal officers in each district to control such crimes.
- It is the first in the country dealing with the protection and rights of vulnerable populations which defines a new crime of dereliction of duty of public officials.
- It states that Police officers who fail to prevent the crime of lynching in their jurisdiction are liable to be imprisoned for a term that may extend from one to three years with a fine limit of Rs. 50,000.
- The Law requires the state to formulate a scheme for relief camps and rehabilitation in case of displacement of victims, and death compensation.
- Rajasthan and West Bengal have formulated their version of laws to curb mob-lynching

3. CAUSES OF COMMUNAL VIOLENCE IN INDIA

It was thought that partition of the country would resolve the problem of communal violence in India, and in the post-partition period, the people would be able to live without facing the ill-effects of the communal violence. However, it was a false hope and except the decade of fifty, people could not live in without communal violence.

In communal violence several causes and multiplicity of factors are involved which contribute to the generation and aggravation of communal riots. Each of these factors, individually and collectively, contributes to creating the communal passion in which even the mildest of provocations erupts into irrational violence. Besides the communal environment in most of the riots, there are precipitating factors, which engineer the fire of communal violence in any area.

It must be noted that in communal violence there are micro as well as macro factors involved. The macro factors are often of ideological in nature and have nation-wide sweep. The micro factors may be non-ideological and of local nature. Both are integrally connected with the process of socio-economic development in the country. To fight communalism and stop communal violence, we ought to know what causes are behind the virus of communal violence. Therefore, it is necessary, to know the various causes of communal violence.

The reasons for the communal violence may be discussed under the following heads:

- Historical
- Religious
- Socio-economic and Political
- Miscellaneous

HISTORICAL REASONS

Divide and Rule Policy

The history of Hindu-Muslim antagonism is the result of 'divide and rule' policy adopted by the British rulers, which left a wide impact on Hindu-Muslim relations. This policy had sown seeds of discord between the communities, who indulged in serious skirmishes posing threat to the security and very existence of the nation.

After the revolt of 1857, the British rulers started to divide different communities on communal lines, particularly Hindus and Muslims in India. It was one of the main reasons that the British rulers undertook the first census in Colonial India in the year 1872. The census of 1872 articulated the cleavages of minority and majority and created communal consciousness in the early 20th century. The census exercises during Colonial rule instilled a geographical and demographic consciousness among the religious communities. The census data on religion also sparked off a communal debate on the size and growth of different religious communities.

The division of Bengal in 1905, based on religion was the unique example of fomenting communalism by the British policy of 'divide and rule'. Communal perception was again perpetrated through the political instrument of separate electorates, wherein religious minorities were given separate seats in the legislative bodies according to their proportion of population in the provinces. This widened the prevailing communal antagonism in the country. Mahatma Gandhi struggled hard to bring back the spirit of brotherhood; apart from Maulana Abul Kalam Azad. However, every move to unite the two communities failed miserably. Since then, the relationship between Hindus and Muslims has become bitterer than ever before; hatred between them has grown manifold.

The Indian ruling class continued the 'divide and rule' policy of the British rulers in the post-partition period in relation to the masses of the two communities to keep them divided and always fighting.

Partition of Bengal and Swadeshi Movement

The British policy of 'divide and rule' succeeded. The Hindu-Muslim antagonism started surfacing since the division of Bengal in 1905. The partition of Bengal and Swadeshi movement was another factor of creating gulf between two communities by the British rulers. The British Government wanted to cut the very source of Indian nationalism and to divide the people of the region into two separate communities, i.e., Eastern and Western Bengal. In Eastern Bengal, Muslims were in majority while in the Western Bengal, Hindus were in majority. The Colonial rulers were very eager to enlist the support of majority community against the minority community.

The majority community took hostile attitude towards the minority community and the Swadeshi movement sponsored by them. Nawab Salimullah of the Eastern Bengal actively helped the government in fighting the Swadeshi movement in the new province. The attitude encouraged by the Nawab culminated in a series of outbreaks at Comilla (now in Bangladesh) and Jamalpur in East Bengal and a growing alienation of relation between the two communities.

Gulf started appearing between Hindus and Muslims when the opposition against partition of Bengal and Swadeshi movement were on the peak, several riots took place in areas and places which later on became part of East Pakistan and now Bangladesh.

Partition of the Country

Partition of the country also created a great deal of bitterness and communalized political processes in post-Independent India. Partition itself was greater disaster for the country. Before partition, all were Indians, but after partition Muslims became a minority in India while Hindus and Sikhs became minority in Pakistan. Allegations of persecution of

minorities in both the countries had been made from time to time. The seeds of distrust and disharmony have gradually taken shape of big trees and communal termite is slowly eating into the age-old roots of our peace.

Religious Reasons

Many scholars have discussed the problem of communal violence through different angles but they have perhaps forgotten the violative point of religion as the perpetrator behind communal violence. However, it has been observed by various studies that religion was not the sole factor responsible for the origin or growth of communal violence before and after partition. However, religion acts more as an agent determining the attitude of its followers than the motivation or mainspring of communal violence. Religion has become a cat's paw in the hands of unscrupulous elements. Sometimes, a wrong against an individual is translated to as "whole religion is in danger", this multiplies the rumors and fires the flames of religious sentiments. The majority-minority debate is started and instead of forming a consensus, the agenda is of showing how much oppressed certain section is and feeling of victimhood becomes a central feeling.

Hurting Religious Sentiments

Many a times religious sentiments are hurt by various radical groups. The defiling of idols and holy books are done to trigger the anger in the general population. Also the fundamentalist elements promoting violence to protect the religion and culture is seen as more a challenge by other communities. These are deterrence to the fabric of the society and act as bad precedents for the generations to come. Consensus building exercises should be promoted and practices with the common intent to resolve disputes. But, defiling of religious symbols and idols are unacceptable in any secular and progressive society.

SOCIO-ECONOMIC REASONS

Struggle for Identity or Class Conflicts

The theories of class conflict, viz., class stratification coinciding with religious cleavages or the dominant property group trying to raise bogie of majority communalism in order to mute or deflect the rising demands of the minority. In India, communal identity and division has always pervaded Indian society but communalism is one of the by-products of Colonial under-development of the Indian economy. The rise of modern politics and social classes occurred in the same period and the crises of Colonial economy began to be largely felt. Colonial economy, underdevelopment and economic stagnation produced conditions conducive to the growth of internal divisions and antagonism within society.

The internal divisions promoted communal violence and social tension at the mass level. Some scholars argue that all classes in the society behave differently according to their economic needs, which when triggered off by a religious issue, lead to communal violence. They attribute class struggle as the root cause behind several communal disturbances, not religion. Some scholars believe that after partition of the country, Indian Muslim developed the psychology of being the deprived group. Thus, an incident, which may be trivial in nature, leads to a chain reaction ending in violence.

Competing Interests

Hindus and Muslims cannot be treated as entirely homogenous communities. There are besides religious conflicts, conflicts of interests too. On occasion, these interests sharpen religious conflict. Religion is often used to provide legitimacy to conflicts of interests and thus what appears to be a religious conflict may in fact be a cover-up for a conflict of interests. This is, of course, not to suggest that there has been no religious conflict between the two communities. **Communal conflicts are a means for communities to assert their communal identities and to demand their share in economic, educational and job opportunities.**

Competing interest does not seem to originate in the ignorance of 'true religion' but in the struggle for autonomy on the part of one or more groups and there is an inescapable conflict between their drive for autonomy and the cohesion of the state in a multi-religious society. Politicization of religion, conditions of extreme scarcity and a particularly divisive style of politics aggravate the problem, which appears to be basic to heterogeneous societies.

There remains casual continuity between the pre and post-partition periods as far as super-structural causes of communal conflicts like religio-cultural prejudices, the memory of Muslim rule over India, emotional commitment to the cause of Pakistan, etc., were concerned.

Many have tried to find economic factors behind communal violence. Theories of development process find the causes in economic competition among Hindus and Muslims in some area. Economic competition often leads to social tensions that can easily turn into communal violence. An important cause of communalism and communal violence springing from it has been unbalanced and exploitative economic relations in Indian society.

Political Reasons

The communal politics cannot be let down without an attack on communal ideology and the socio-economic structure of the society which sustain it. In most cases, the communal violence is politically motivated. There is a growing tendency to maximize political gains by adopting short cuts in terms of usage of ancient identities, money and muscle power, communal slogans, doctrinaire issue, etc

The major cause of communal conflict before partition was the struggle between the Hindu and the Muslim elite for political power as well as control of economic resources at the national level.

Some believe that communalism and communal conflicts are means of political assertion. Politics in general is a process of conflict resolution. In trying to resolve this conflict, each of the participating and contending group and community seek to gain terms advantageous and favourable to it so far as possible. Therefore, the effort of each of the groups is to acquire as much political power as possible and with it the political advantage as a means to enhance the community or caste interests.

There is a violent political competition among the leaders of both the communities to obtain favour of one community against another for political gain. As a result, communal groups are gaining support from the political parties. Both religious as well as secular leaderships try to take advantage of this situation for their political and non-political ends.

There are many other factors also which contribute to the building up of communal tension. The increased prosperity of a group challenges the traditional political leadership of the town. This political rivalry leads to communally dangerous situations. Political rivalries assume dangerous extent in areas marked by a high level of political instability and social violence.

MISCELLANEOUS REASONS

Administrative Failures

Weak law and order is one of the causes of communal violence. After partition, the most of communal violence took place because of the weak law and order. There was failure of the police and administrative officers in gauging the intensity of the communal situation in advance.

Lack of Communication

During communal violence, there is no free exchange of views and opinions between the two communities and both the communities perceive as inimical. Such absence of inter-group communication is favourable for communal violence. During communal violence, both communities paste and distribute posters and pamphlets thereby increasing communal tensions and continuation of communal violence. Such communication preaches communal hatred and prejudice to incite communal violence. Isolated individual instances of injustices and loss, rightly or wrongly are published and communicated in the newspapers and consequently communal groups get support for continuing communal violence, as one community perceives that the other community committed violent acts against it. An individual personal attack is sometimes misconstrued as an attack against the entire community. As a result, people become scared and frustrated and thereby more violence takes place.

Sense of Insecurity and Fear

Communal violence takes place, as members of one community perceive the threat, harassment, fear and danger from the members of the other community. The response to the threat is either fight or departure. The latter generates fear and terror and the former cause's hatred and anger phobia. There is a lack of inter-personal trust and mutual understanding resulting in subsequent fear and worry among the communities. During communal violence, neighbors and acquaintances become enemies to one another. Though, they are staying nearby, some persons from the same locality participate in communal violence. Thus, the people known to each other over a period become assailants. During communal violence, there is lack of rapport between the people and police. People do not report many communal incidents to police, as they are afraid of personal assaults by the criminals in the absence of adequate protection by police.

Role of Media in Fomenting Violence

- On April 7 annually, UNESCO commemorates the International Day of Reflection on the 1994 Genocide. Between April and June 1994, an estimated 1 million Rwandans were killed in the space of 100 days. The local media in Rwanda played a significant role in furthering the violence by propagating hate speech.
- The Indian media seems to follow the same path. The media has been habituated to brand everyone opposing the government as anti-national. This has been seen during the farmers' protests at the Delhi border where media tried to link them with Khalistanis.

- In the 2020 Delhi riots, a massive under-reporting and selective reporting on part of the mainstream TV channels was carried out. During the CAA-NRC protests, the protesters were often painted as anarchists and 'anti-Hindu'. Likewise, the media did not hesitate to brand the 'Jamaatis' as the perpetrators of spread of Covid-19 in 2020.
- The role of social media for fomenting violence can also not be denied. Seven people were lynched in Jharkhand due to the spreading of child-lifting rumours on social media in 2017.

4. IMPACT OF COMMUNALISM ON INDIAN SOCIETY

Feeling of communalism is against the normal balance of any pluralistic society. It is an extremist ideology which is inspired by the goals of proving the superiority of a specific religion. To counter this, Indian Constitution has a provision of religious liberty according to the secular values of life. **The term secular was added in the preamble of constitution which was declared as basic structure in the Bommai case by the Supreme Court.**

Political parties after the independence used the politics of narrow mindedness and identity to enlarge their social base. In this process, organization of groups on the basis of caste, religion, language, and ethnicity was encouraged. Along with the formation of political parties on communal basis, attempt was made to give communal shape to voting behavior also. For this, most of the political parties spread slogans and feelings related to various communities. So, in general elections, where issues of development and good governance had to be effective, communal feelings and issues became both means and goal.

STEPS FOR MAINTENANCE OF COMMUNAL HARMONY

The maintenance of communal harmony, and the prevention/avoidance of communal disturbances/riots and, in the event of any such disturbances occurring, action to control the same and measures to provide protection and relief to the affected persons, is a prime responsibility of the State Governments.

- ❖ **Preventive Measures:** In the light of the demographic profile; existing or potential disputes/controversies; routes of processions; history of religious conversions/reconversions, etc. and any other relevant factors, specific areas should be identified as sensitive/hyper-sensitive and, the position in this regard should be periodically reviewed and updated. Preventing a communal riot is far more important than containing it.
- ❖ **Administrative Measures:** At the state level, meetings of the state level integration committee, under the Chairmanship of the Chief Minister, may be held at least once in a quarter to review the communal situation in the State.
- ❖ **Personnel Policy:** The composition of the police force, especially those deployed in communally sensitive areas, should be representative of the social structure of the region so as to ensure its credibility, and help in creating a feeling of confidence among all sections of the people.
- ❖ **Visits by VIP/Dignitaries:** During communal disturbances, various VIPs/political dignitaries visit these areas with a view to strengthening the public confidence. It is desirable that necessary care may be taken by all to ensure that measures taken by the local administration for maintenance of law and order and conducting relief operations, etc., continue as per the plans.
- ❖ **Participation of stakeholders:** In a communally-sensitive area, small shopkeepers, entrepreneurs and daily-wagers are most prone to loss and damage to life and property, if the situation goes out of control, leading to arson or violence. They are most likely to face economic burden, due to loss of income or property, most of which is not covered under any type of insurance. They can, thus, be the most willing partners in maintaining peace and communal harmony in the area. Similarly, women who are the worst sufferers in such situations may also be keen to ensure communal harmony. The district administration can tap the resources and energy of these people/groups in ensuring peace.
- ❖ **Press/Media and Awareness Building:** Promoting the cause of communal harmony and peace should be a constant endeavour of the administration. For this, a multi-media publicity and promotion campaign needs to be conducted, on a continuing basis, from time to time.
- ❖ **Relief and Rehabilitation:** A lot of resentment is generated on account of non-payment of timely relief/ex-gratia to the riot victims. A system of expeditious disbursement of the relief should, therefore, be devised. Interim relief may be provided immediately to the individuals for any loss or damage suffered due to communal violence.

1. COMMUNAL VIOLENCE BILL

The National Advisory Committee has come out with a Communal Violence Bill. The Bill is intended to prevent acts of violence, or incitement to violence directed at people by virtue of their membership to any "group".

- ❖ The Bill makes illegal acts which result in injury to persons or property, if such acts are directed against persons on the basis of their affiliation to any group, and if such an act destroys the secular fabric of the nation. Such acts include sexual assault, hate propaganda, torture and organized communal violence.
- ❖ It makes public servants punishable for failing to discharge their stated duties in an unbiased manner. In addition, public servants have duties such as the duty to provide protection to victims of communal violence and also have to take steps to prevent the outbreak of communal violence.
- ❖ The Bill establishes a National Authority for Communal Harmony, Justice, and Reparation to prevent acts of communal violence, incitement to communal violence, containing the spread of communal violence, and monitoring investigations into acts of communal violence. The Authority can also inquire into and investigate acts of communal violence by itself. The Bill also provides for the setting up of State Authorities for Communal Harmony, Justice, and Reparation.
- ❖ The central or state government has been given the authority to intercept any messages or transmissions if it feels that it might lead to communal violence. This power is subject to existing procedures which have to be complied with for intercepting messages and transmissions.
- ❖ Importantly, if public officers are liable to be prosecuted for offences under the Bill, and prior sanction is required for such prosecution, the state government has to grant or refuse sanction within 30 days. If not, then sanction will be deemed to have been granted.
- ❖ The Bill also allows the states to set up one or more Human Rights Defender of Justice and Reparations' in every district. The Human Rights defender will ensure that those affected by communal and targeted violence are able to access their rights under existing laws.

Apart from these, the Bill also establishes state and district-level authorities for assessing compensation for victims of communal violence. States also have numerous obligations towards victims, such as the establishment of relief camps, ensuring proper facilities, medical provisions and clothing for those within such camps, etc. The states government also has the obligation to create conditions which allow the return of victims of communal violence to the place of their ordinary residence.

2. NATIONAL COMMUNAL HARMONY FOUNDATION

National Foundation for Communal Harmony (NFCH) was set up as an autonomous organisation under the Societies Registration Act, 1860, and registered on the 19th February, 1992 with the main objective of providing assistance for the physical and psychological rehabilitation of the child victims of communal, caste, ethnic or terrorist violence, with special reference to their care, education and training besides promoting communal harmony, fraternity and national integration. The Home ex-officio chairman of the Governing Council of the Foundation. The Governing Council decides broad policies, suggests measures for achieving its objectives and exercises overall supervision over the Foundation. The ex-officio chairman of the Executive Council of the Foundation is the Secretary, Ministry of Home Affairs. The management and administration of the Foundation rests with the Executive Council. The Secretary of the Foundation is its principal executive officer.

3. NATIONAL COMMUNAL HARMONY AWARDS

The National Foundation for Communal Harmony has instituted two National Communal Harmony Awards, one each for an individual and an organisation that are given every year for outstanding contribution for continued promotion of communal harmony and/or national integration over a period of time. The Awards have been instituted to promote communal harmony by recognizing activities relating to:

- ❖ Discouraging communal ill-will and regional animosities and weaning the misguided elements of society away from the path of violence;
- ❖ Active and energetic propagation of the principles, especially of tolerance and harmony;
- ❖ Mobilising constructive forces of society in the cause of national unity and solidarity and giving them leadership, encouragement and articulation;

- ❖ Devising suitable community activities and programmes for fostering fellow feeling emphasising the secular character of the country;
- ❖ Propagating and working for national integration and harmony between different communities, irrespective of religious, linguistic or ethnic differences; and
- ❖ Asserting the common values and cultural ties which bind or act as unifying factor among the people living in this country.



Summary

- Communalism has been described as a sectarian exploitation of social traditions as a medium of political mobilization.
- It is important to emphasize that communalism is about politics, not about religion.
- One of the characteristic features of communalism is its claim that religious identity overrides everything else.

Features of Communalism:

- It is based on orthodoxy.
- It is exclusive in outlook; a communalist considers his own religion to be superior to other religions.
- It is based on intolerance.
- It also propagates intense dislike of other religions.
- It stands for elimination of other religions and its values.
- It adopts extremist tactics including use of violence against other people.

Fundamentalism, Communalism and Secularism

- While fundamentalism and communalism are widely held to the problematic and disintegrative, the ideology of secularism is held to be a palliative solution to the above.

India and Communalism:

- Communalism took deep roots in Indian Polity during the later phase of the national movement and this was encouraged by the colonial rulers.

Communal Violence:

- Communal violence means violence against a group or an individual targeted because of a communal identity.
- Violence: It may be divided into individual violence and social violence.
- The communal violence may be traced back to the mediaeval period of history but communalism is a modern creation-one of the by-products of the colonial economy.
- Communalism breeds communal politics whereas communal violence is the clear manifestation of communal tension.
- Communal ideology can prevail without violence but communal violence cannot take place without prior spread of communal ideology.

Causes of Communal Violence in India:

- Divide and rule policy
- Partition of Bengal and Swadeshi Movement
- Partition of the country
- Hurting religious sentiments
- Struggle for identity or class conflict
- Political reasons
- Administrative failures

Steps for Maintenance of Communal Harmony:

- Communal Violence Bill
- National Communal Harmony Foundation
- National Communal Harmony Awards

Structure

- ❖ Objectives
- ❖ Introduction
 1. Understanding Regionalism
 2. Characteristics of Regionalism
 3. Is Regionalism a Threat?
- ❖ Regionalism in India
 1. Historical Perspective
 2. Forms of Regionalism Found in India
 - (i) Tendency of Secession from the Indian Union
 - (ii) Demand for Separate States within the Indian Union
 - (iii) Demand for Autonomy
 - (iv) Inter-state Disputes as a Manifestation of Regionalism
 - (v) The Idea of 'Sons of the Soil' as a Manifestation of Regionalism
 - (vi) Militant Regionalism
 - (vii) Linguistic Regionalism
 3. Causes for the Growth of Regionalism
 - (i) Geographical Factor
 - (ii) Historical and Cultural Factors
 - (iii) Caste and Religion
 - (iv) Economic Factors
 - (v) Politico-Administrative Factors
 - (vi) Modernization and Mass-participation
- ❖ Regional Disparity in India
 1. Indicators of Regional Disparity
 - (i) State Per-capita Income
 - (ii) Inter-state Disparities in Agricultural Development
 - (iii) Population below Poverty Line
 - (iv) Spatial Distribution of Industries
 - (v) Degree of Urbanization
 - (vi) Per-capita Consumption of Electricity
 - (vii) Employment Pattern
 - (viii) Intra-state Imbalance

2. Measures for Correcting Regional Imbalances
 3. Role of Regional Parties
 4. Regionalism versus Federalism
- ❖ Summary
 - ❖ UPSC Previous Year Questions
 - Prelims Questions
 - Mains Questions with Approach
 - Prelims/Mains Question Trend Analysis

Objectives

In this chapter, we shall study:

- The Meaning of regionalism
- Regionalism in India
- Regional disparity in India
- Measures for correcting regional imbalances

INTRODUCTION

Subject to contextual and conceptual variation, a region is generally conceived of as a permanent and definite area. The concept of region varies with the criteria for its demarcation. Initially, regions were defined as natural systems created by topographical features. Later, regions were defined in terms of social relationships and organizational principles. Regional analysis has been extended to social and cultural phenomena. Regional analysis was extended to include new questions concerning kinship, religions, ethnicity, politics and class by considering questions of history and evolution; and by developing certain new principles of analysis.

If only physical characteristics of the land such as land forms, climate, soil, vegetation, etc. form the basis of delineation, we get different physical geographic regions. When dominant economic activities are considered to be criteria, we arrive at economic regions. And when cultural factors such as language, religion, etc. are considered the basis of classification, we get socio-cultural regions. All these concepts are based on the concept of areal homogeneity.

1. UNDERSTANDING REGIONALISM

The term 'regionalism' has two connotations. Looked in a particular way, it implies excessive attachment to one's region in preference to the country or the state. Looked differently, it is considered a political attribute associated with people's love for their region, culture, language, etc. with a view to maintain and preserve their independent regional identity. While later approach of looking at regionalism is a welcome thing as it encourages the people to develop a sense of brotherhood and not in commonness based on the language, religion or historical background rather in acceptance of the ways and methods of the people of a particular region.

The former sense of regionalism has appeared as a great threat to the unity and integrity of the country at various occasions. In the Indian context, generally the term regionalism has been used in this sense. The feeling of regionalism may arise either due to the continuous neglect of a particular area or region by the ruling authorities or it may spring up as a result of increasing political awareness of backward people that have been discriminated against or it may also be due to various other factors.

Regionalism has been interpreted as extreme loyalty to or love for a particular region which may undermine the interest of the nation or the state of which the region is a part. "There is always a natural tenacity towards the primacy of rationalistic over nationalistic, though one does not usually pose the two as an either/or situation." This may be characterised by the commonness of cultural, linguistic or historical and social background.

In the Indian Scenario, regionalism may be viewed from a couple of dimensions positive and negative. From the positive angle, regionalism embodies a quest for self-identity and self-fulfillment on the part of the domiciles of a region.

In negative terms, "regionalism reflects a psyche of relative deprivation on the part of people of an area not always viable in terms of rational economic analysis. It is mostly believed that deprivation is purposefully inflicted by the powers.

2. CHARACTERISTICS OF REGIONALISM

Some of the more common characteristics of regionalism are noted here:

- (a) Regionalism is conditioned by economic, social, political and cultural disparities.
- (b) Regionalism at times is a psychic phenomenon.
- (c) Regionalism is built around as an expression of group identity as well as loyalty to the region.
- (d) Regionalism presupposes the concept of development of one's own region without taking into consideration the interest of other regions.
- (e) Regionalism prohibits people from other regions to be benefited by a particular region.

3. IS REGIONALISM A THREAT?

Negative Side

When people of a specific area, with the cultural, geographical and ethnic diversity, start feeling that they have not shared the benefits of the process of development properly, the feeling of regionalism emerges among them. Due to this discontent, sense of separation grows among them which directly affects national unity and integrity of the nation. They try to pressurize the central government for the ownership of resources. Contradictions between national and regional interests emerge. Governments, at times, are not able to solve overnight the challenges like infrastructure and industrial development because of regional problems like Naxalism & terrorism. Because of the feeling of regionalism very often the implementation of international projects is opposed which results in technological backwardness and low level of investment.

Positive Side

But, the above impacts are only one sided. Feeling of regionalism has certain positive results. Regionalism increases political awareness among people and pressure on the government for decentralisation is created and thus a balance between national and regional interests is maintained. Feeling of self-respect and citizenship among citizens increases because of growth in political participation and they oppose exploitation. Along with this, due to regionalism when a state makes faster growth, other states also in competition try to achieve faster growth.

Way Forward

So, it is clear that the feeling of regionalism is not a danger for national unity and integrity, directly, if this feeling is given positive approach. For this, it is necessary to establish communication with the people of specific regions and their emotional energy should be used for national interest.

REGIONALISM IN INDIA

Regionalism is not a new phenomenon in the Indian political system. In the pre-independence days, it was promoted by the British imperialists and they deliberately encouraged the people of various regions to think in terms of their region rather than the nation as a whole, with a view to maintain their hold over India during the national movement. After Independence, the leaders tried to foster a feeling among the people that they belonged to one single nation. The framers of the constitution sought to achieve this by introducing single citizenship for all. With the same objective a unified judiciary, all Indian services, and a strong Central government was provided. But, in view of the vastness of the country and deep rooted diversity of cultures, regionalism soon made its appearance in independent India.

1. HISTORICAL PERSPECTIVE

The first manifestation of regionalism was the demand for linguistic states but the most effective play of regionalism was the victory of the DMK against Congress in Tamil Nadu in 1960s. Initially, the central leadership felt that regionalism was a peripheral political factor confined to Tamil Nadu and hence did not pose any threat to national unity. However, that assessment was ill-founded. Soon in Punjab, the Akali movement gained momentum, while in Jammu and Kashmir Sheikh Abdullah revived the National Conference. During these initial years, all the Indian political parties continued to adjust with these regional forces on the plea that they would ultimately succeed in making inroads into the bases of the regional parties and absorb them in their organisations.

The Indian National Congress which enjoyed monopoly of power during 1947-1967 and followed a policy of blowing hot and cold toward the regional forces, also contributed to the growth of regionalism in India. It accommodated the regional forces when it was convenient and raised a hue and cry against them when it was pitted against them. The local Congress leaders also encouraged the growth of regionalism and strengthened their hold on local party organisation, with a view to increase their bargaining power with the central leaders.

It was 1980s that marks a period which saw rising regional aspirations for autonomy, often outside the framework of the Indian Union. At times, these aspirations turned into movements and also resorted to armed assertions by the people. While these movements were repressed by the government, a collapse of the political and electoral processes was also witnessed. Unsurprisingly, most of these struggles were long drawn and concluded in negotiated settlements or accords between the central government and the groups leading the movement for autonomy. While the agreements were reached upon after a process of dialogue that aimed to settle the disputes and conflicts within the constitutional framework, yet the journey to these agreements and accords was rarely smooth and mostly tumultuous and often violent.

Analysis

The fundamental of the Indian approach has been that the Indian nation shall not deny the rights of different regions and linguistic groups to retain their own culture. As while making the nation it was consciously decided to live a united social life without losing the distinctiveness of the numerous cultures that constituted it.

Indian nationalism made an attempt to weave together the feelings of unity and diversity. The making of Indian nation does not mean the negation of the region. In this sense, the Indian approach was very different from the one adopted in many European countries where it was believed that the cultural diversity is a threat to the nation.

India adopted a democratic approach to the question of diversity. Democracy allows the political expressions of regional aspirations and does not cast these as anti-national. Democratic methods of politics allow diverse parties and groups to gather support for their regional identity, aspiration and specific regional problems. Thus, in the course of democratic politics, regional aspirations get strengthened. At the same time, democratic politics also means that regional issues and problems will receive adequate attention and accommodation in the policy making process. The issue that needs care is that in the name of democratic methods politics of separation or secession should not be allowed.

Such an arrangement may sometimes lead to tensions and problems. Sometimes, the concern for national unity may overshadow the regional needs and aspirations. At other times, a concern for region alone may blind us to the larger needs of the nation. Therefore, political conflicts over issues of power of the regions, their rights and their separate existence are common to nations that want to respect diversity while trying to forge and retain unity.

2. FORMS OF REGIONALISM FOUND IN INDIA

Some of the major forms of regionalism experienced in Indian political system are as follows:

1. Tendency of Secession from the Indian Union

Demand for secession from India constitutes the extreme dimension of regionalism in India. Secessionist forces have been present in J & K, Manipur, Nagaland, Mizoram and Tripura and in fact in the whole of North-East of India. Several groups and organisations have been advocating secessionism from India on the basis of the factor of ethnicity. Nagas, Meijos, Islamic fundamentalist groups in J & K, ULFA in Assam and some other such groups have been pursuing secessionism. These have been using violent means for securing their objectives.

Issue of Jammu and Kashmir

- ❖ Violence in Jammu and Kashmir has resulted in the loss of many lives and the displacement of many families. The 'Kashmir issue' has always been seen as a major issue between India and Pakistan. But, the political situation in the Union Territory has many dimensions. The erstwhile state of Jammu and Kashmir comprised three social and political regions: Jammu, Kashmir and Ladakh. The heart of the Kashmir region is the Kashmir valley; the people are Kashmiri speaking and mostly Muslim with a small Kashmiri speaking Hindu minority.
- ❖ The politics of Jammu and Kashmir always remained controversial and conflict-ridden both for external and internal reasons. Externally, Pakistan has always claimed that Kashmir valley should be part of Pakistan. As we noted above, Pakistan sponsored a tribal invasion of the State in 1947, as a consequence of which a part of the State came under Pakistani control. India claims that this area is under illegal occupation. Pakistan describes this area as 'Azad

Kashmir'. Ever since 1947, Kashmir has remained a major issue of conflict between India and Pakistan. Internally, there is a dispute about the status of Kashmir within the Indian union. It is known that Kashmir was given a special status by Article 370 in our Constitution. Article 370 gave greater autonomy to Jammu and Kashmir compared to other States of India. The erstwhile State had its own Constitution and all provisions of the Indian Constitution were not applicable to the State. Laws passed by the Parliament applied to J&K only if the State agreed.

- ❖ This special status had provoked two opposite reactions. There is a section of people outside of J&K that believes that the special status of the State conferred by Article 370 does not allow full integration of the State with India. This section feels that Article 370 should, therefore, be revoked and J&K should be like any other State in India.
- ❖ Another section, mostly Kashmiris, believe that the autonomy conferred by Article 370 is not enough. A section of Kashmiris have expressed at least three major grievances.
- ❖ First, the promise that Accession would be referred to the people of the State after the situation created by tribal invasion was normalised, has not been fulfilled. This has generated the demand for a 'Plebiscite'.
- ❖ Second, there is a feeling that the special federal status guaranteed by Article 370, has been eroded in practice. This has led to the demand for restoration of autonomy or 'Greater State Autonomy'.
- ❖ Third, it is felt that democracy which is practiced in the rest of India has not been similarly institutionalised in the State of Jammu and Kashmir.

Note: Article 370 is not operative any more. It has been rendered inoperative by 'The Constitution (Application to Jammu and Kashmir) Order, 2019. This order has suspended 'The Constitution (Application to Jammu and Kashmir) Order, 1956.

2. Demand for Separate State within the Indian Union

The second popular brand of regionalism in India happens to be in the form of a demand for separate statehood in the Indian Union. After the 1956 reorganization of states of India, there continues to be demands for separate statehood in various parts of the country. The rise in the number of states of the Indian Union from 16 in 1956 to 28 in 2000 tends to prove the correctness of this statement.

In 1960, the bilingual State of Bombay was bifurcated into Maharashtra and Gujarat. In 1963, the State of Nagaland was carved out of Assam. In 1966, Punjab was reorganized into Punjab, Haryana, and Hilly areas into Himachal Pradesh. Chandigarh was made a Union Territories.

In 1969, the State of Meghalaya was formed out of Assam. Later on, Himachal, Goa, Arunachal Pradesh, Tripura, Manipur, Sikkim became fully fledged states of the Union. In 2000, the States of Jharkhand was created out of Bihar, Uttaranchal out of UP and Chhattisgarh out of MP. In 2014, Telangana was created by bifurcating the state of Andhra Pradesh after an intense movement for the same.

The On-going Demands for Separate States

- ❖ **Vidarbha:** It comprises the Amravati and Nagpur divisions of eastern Maharashtra. The State Reorganisation Act of 1956 recommended the creation of Vidarbha state with Nagpur as the capital, but instead it was included in Maharashtra state, which was formed on May 1, 1960.
- ❖ **Saurashtra:** The movement for separate Saurashtra state was initiated in 1972 by Ratilal Tanna. Lack of better water supply to the region, lack of job opportunities and subsequent youth migration have been cited as major reasons for the demand of statehood. Saurashtra is also linguistically different from the rest of Gujarat State. Therefore, the demand is based on linguistic factor as well.
- ❖ **Bodoland:** The Bodos are the largest ethnic and linguistic community in northern Assam. The agitation for the creation of a separate Bodoland state resulted in an agreement in 2003 between the GoI, the Assam state government and the Bodo Liberation Tigers Force. According to the agreement, Bodos were granted the Bodoland Territorial Council (BTC), within the State of Assam under Sixth Schedule.
- ❖ **Gorkhaland:** It is a proposed state covering areas inhabited by the ethnic Gorkha (Nepali) people, namely Darjeeling hills and Dooars in the northern part of West Bengal.

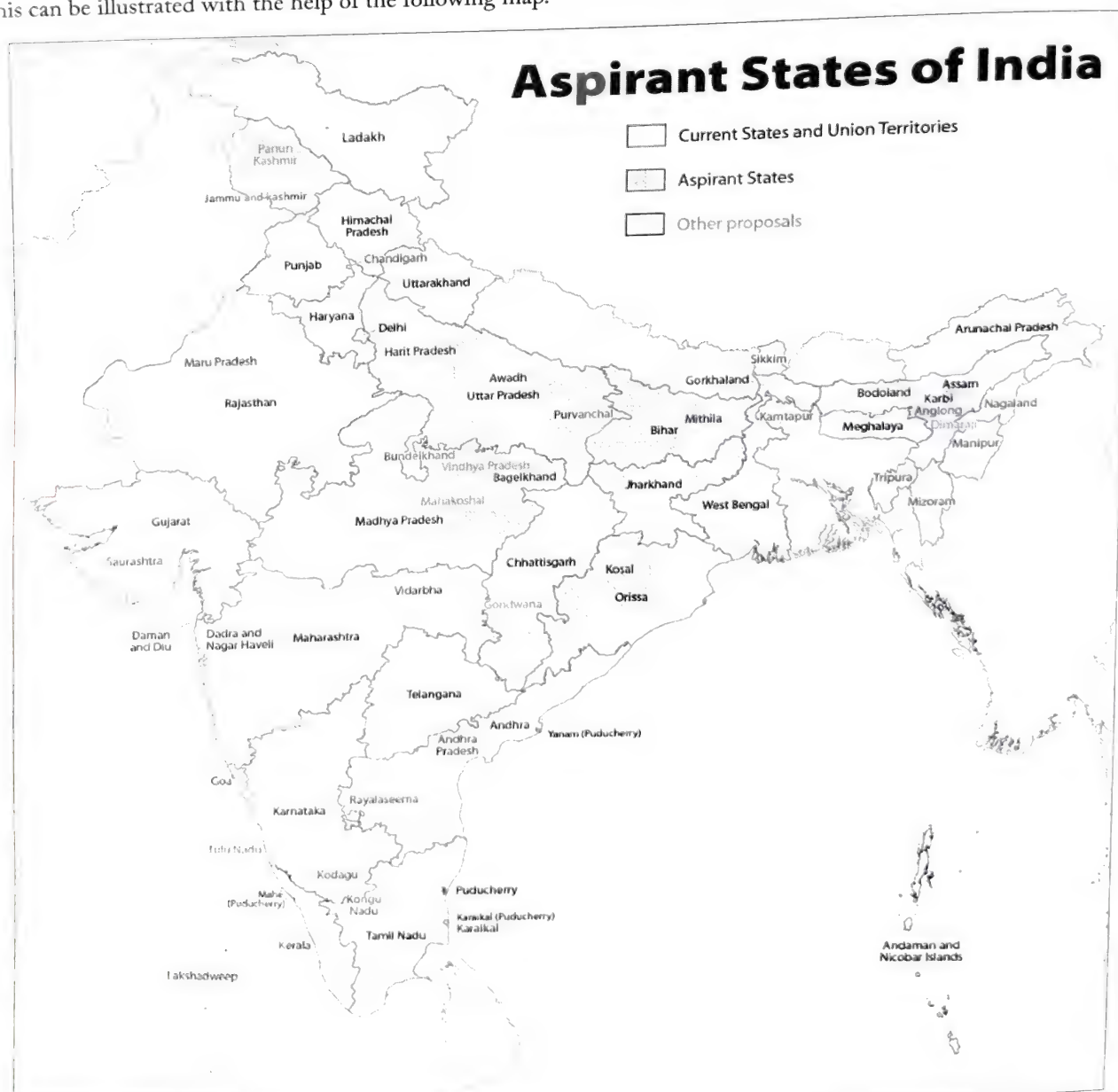
In 2011, then UP Chief Minister and Bahujan Samaj Party (BSP) chief, Mayawati, passed a resolution in the Assembly to split UP into four smaller states – Purvanchal, Bundelkhand, Awadh Pradesh and Paschim Pradesh – in the interest of providing better administration. The resolution later got stuck with the Congress government at the centre.

- ❖ **Harit Pradesh:** It consists agriculturally dominated districts of Western Uttar Pradesh.
- ❖ **Purvanchal:** It is a geographic region of north-central India, which comprises the eastern end of Uttar Pradesh state. It is bounded by Nepal to the north, Bihar state to the east, Bagelkhand region of Madhya Pradesh state to the south, the Awadh region of Uttar Pradesh to the west. Purvanchal comprises three divisions – Awadhi region in the west, Bhojpuri region in the east and the Baghelkhand region in the south.

Demand for Full Statehood by UTs

The union territories have been putting forward their demands for grant of full statehood as the people there believed that they constitute a distinct unit in the region and good enough to form a full-fledged state under the union of India. Most of such demands have already been accepted. In 1971, Himachal Pradesh got the status of a full state and thereafter Manipur, Tripura, Mizoram, Arunachal Pradesh (former NEFA), Sikkim also got full statehoods by subsequent legislation. Now, the Central Government is considering the grant of full statehood to Delhi. If granted, it will also encourage other union territories to demand statehoods. The demands for full statehoods also reflect the presence of a sort of regionalism.

Other than these, the demand for the creation of more smaller states is going on in different parts of the country. This can be illustrated with the help of the following map.



3. Demand for Autonomy

Another form in which regionalism is manifested in India is the demand for more autonomy. In particular, this demand has been raised by the states with powerful regional political parties. In Tamil Nadu the DMK, in Punjab the Akali Dal, in Andhra Pradesh the Telgu Desham, in Assam the Assam Gana Parishad, the National Conference in J & K and in West Bengal the Forward Bloc have been continuously demanding a larger share of powers for the states. This demand of autonomy for the state governments is based on the idea that the state government being elected by the people of the region represents the voice of the regional aspirations should have largest share of power in decision making for that region.

Since 1967 i.e., after the 4th General Elections which led to the emergence of non-Congress governments in many states, the demand for state autonomy has been gaining more and more strength. This demand has its basis in the Unitarian spirit of the Indian constitution. It has been aggravated by central political interferences in the affairs of states. The overthrow of duly elected State governments on one pretext or the other has been also responsible for giving strength to this demand.

The cry for State Autonomy goes to the extreme of demanding the limitation of Union powers only to the spheres of Defence, External Affairs, Currency and Coinage, Railways and Post and Telegraphs. The Rajamannar Committee report in Tamil Nadu, the Memorandum on Centre-State relations prepared by the West Bengal Government and the Anandpur Sahib Resolution of the Akali Dal, all advocate the need for a greater state autonomy. This has been causing strains upon Centre- State relations.

In some of the states of the Indian Union, people belonging to various regions have been demanding recognition of their regional identities. The genesis of such demands lies in the regional imbalances resulting from an inefficient planning. In J & K, the Laddakhis demanded a regional status. (Now, their demand has been accepted by granting Ladakh the status of a separate Union Territory.) In West Bengal, the Gorkhaland demand was based on this principle. Even demands for Telangana, Bodoland, and Konkan states can be placed under this head. Now, these demands have got transformed into demands for the grant of statehoods.

4. Inter-State Disputes as a Manifestation of Regionalism

The forces of regionalism in India are also visible in the inter-state disputes. For instance, the people of Punjab and Haryana are involved in dispute over the issue of transfer of Chandigarh to Punjab and the transfer of certain areas of Abohar and Fazilka to Haryana.

The boundary disputes between Maharashtra and Karnataka on Belgaum, between Karnataka and Kerala on Kasargod, between Assam and Nagaland on Rangma reserved forests in Rangapani area, between Assam and Meghalaya on Langpih, Hakumari and Jingiran river areas of Garo hills, and between Assam and Arunachal Pradesh on Pasighat area are manifestations of regionalism.

To this, we can add the Inter-state water disputes. For instance, the disputes between Punjab and Haryana over the issue of distribution of Ravi-Beas and Sutlej waters; the dispute between Gujarat, Rajasthan, Madhya Pradesh and Maharashtra over the issue of sharing of Narmada waters; the dispute between Karnataka, Kerala and Tamil Nadu over the distribution of Cauvery waters. Likewise, Andhra Pradesh, Madhya Pradesh, Maharashtra and Karnataka have been involved in a dispute over Godavari waters. The states which are parties to these disputes are acting under the influence of regionalism and each state wants to gain over and above the other states.

5. The Idea of "Sons of the Soil" as a Manifestation of Regionalism

Another form of regionalism in India has been the popularity and implementation of the principle of the "Sons of the Soil". Acting under it, the states impose residential and domicile conditions for appointments within the state administration. This principle stands sanctified by the Constitution which empowers the legislatures to make residence within their states a qualification for employment. Acting under it, almost all the states have enacted legislations for reserving jobs for their respective inhabitants.

Special provisions regarding Nagaland, Sikkim and some others have clearly been based upon the principle of Sons of the Soil. This principle has given strength to regionalism as stands imbibed in the cries for Maharashtra for the Maharashtrians, Orissa for Oriyas and Assam for the Assamese.

The regional political parties like MLNF in Mizoram, NINF in Manipur, Gana Sangram Parishad in Assam and others always demand that 'outsiders' and 'foreigners' should quit their states. In Arunachal Pradesh and Mizoram, in fact,

in all North-Eastern states, there is a strong resentment over the presence of foreigners (persons who have migrated from Bangladesh) on their soils and the passions generated by such a demand do not spare the fellow Indians belonging to different states of the Indian Union.

6. Militant Regionalism

Another dangerous dimension of regionalism in India has been the presence of militant regionalism, which has made its appearance in the form of various Senas like Senas in Maharashtra, Tamil Sena in Tamil Nadu, Hindu Senas in North Indian States, Anti-Hindi Sena in West Bengal, Sardar Sena in Gujarat, Jagannath Sena in Orissa and Lochit Sena in Assam etc. These Senas have come up largely due to the emergence of regional imbalances which have encouraged people with greater skill and entrepreneurial skills to move to other regions.

Among these, Maharashtra Navanirman Sena (MNS) has been targeting North Indians mostly from Uttar Pradesh and Bihar accusing them of stealing the jobs there.

As a result, people of the region adopt a hostile attitude towards these people and seek protection of their own group's interests. They start looking towards the migrants as enemies of their sons of the soil. Some regional or local parties have been openly demanding that people belonging to other states should go back to own states. This is indeed a very serious and unfortunate demand as we are all Indians and equal citizens of India with equal rights & freedom. We live in different states but the whole of India belongs to us and no one can or should be permitted to pursue narrow localism/regionalism in this regard.

7. Linguistic Regionalism

Another form of regionalism has been linguistic regionalism. Language has remained a formidable basis of regionalism. The policy of linguistic reorganisation of states has been mainly responsible for this development. This policy has been instrumental in setting the stage for the emergence of small states in the Indian Union.

The fallout of this policy has been the outbreak of linguistic riots in states with more than one major language. It has also resulted in violence against linguistic minorities within a state. The centre itself has failed to implement the constitutional requirement of making Hindi as the official language of India.

However, all this should not be taken to mean that linguism alone has been responsible for the rise of regionalism. It has been one factor and not the only factor of regionalism in India. The above account clearly establishes the fact that regionalism has been a challenge to national integration. It operates in several different forms and in almost all parts of the country.

3. CAUSES FOR THE GROWTH OF REGIONALISM

Regionalism in India is a multidimensional phenomenon as it is a complex amalgam of geographical, historical, cultural, economic, politico-administrative and psyche factors. It is not possible to indicate exactly any particular factor, which has been solely responsible for the phenomenon of regionalism. Therefore, all these factors need to be explained briefly.

Some of the most prominent causes of regionalism in India are as follows:

- (a) Geographical Factor
 - (b) Historical and Cultural Factors
 - (c) Caste and Region
 - (d) Economic Factors
 - (e) Politico-Administrative Factors.
- (i) **Geographical Factor:** The territorial orientation based on geographical boundaries relate to the inhabitants of a particular region which are symbolic, at least in the Indian context. This is more so because of the linguistic distribution along geographical boundaries. The topographic and climatic variations along with differences in the settlement pattern induce in people the concept of regionalism.
 - (ii) **Historical and Cultural Factors:** In the Indian scenario, the historical or cultural factors may be considered the prime components of the phenomenon of regionalism. The historical and cultural components interpret regionalism by way of cultural heritage, folklore, myths, symbolism and historical traditions. People of a particular cultural group also derive inspirations from the noble deeds and glorious achievements of the local heroes. Nevertheless, there are sudden political and economic realities which can be covered under the gamut of historical and cultural factors.

The desire of the various units of the Indian federal system to maintain their sub-cultural regions and greater degree of self-government has promoted regionalism and given rise to demand for greater autonomy.

- (iii) **Caste and Religion:** Caste system and religion in Indian society play only a marginal role in inducing regionalism. Only when caste is combined with linguistic preponderance or religion it may cause regional feeling. In the like manner religion is not so significant except when it is combined with linguistic homogeneity or based on dogmatism and orthodoxy or linked with economic deprivation. However, regionalism is usually a secular phenomenon in a relative sense and it can cross-cut the caste affiliation or religious loyalties.
- (iv) **Economic Factors:** In the present times, uneven economic developments in different parts of the country may be construed as the prime reason for regionalism and separatism. There are certain regions in the country where industries and factories have been concentrated, educational and health facilities are sufficiently provided, communication network has been developed, rapid agricultural development has been made possible. But, there are also certain areas where the worth of independence is yet to be realized in terms of socio-economic development.

Continuous neglect of an area or region by the ruling parties and concentration of administrative and political power has given rise to demand for decentralization of authority and bifurcation of unilingual states. On occasions, sons of soil theory has been put forth to promote the interests of neglected groups or areas of the state.

Of course, the British administration may be held responsible for causing such wide regional variations due to their suitability for the purpose of administration, trade and commerce. But, in the post-Independence era, efforts should have been made for regional balance in matters of industrial, agricultural and above all, economic development. This disparity has caused the feeling of relative deprivation among the inhabitants of economically backward regions. It has manifested itself in the demand for separate states such as Bodoland, Jharkhand and Uttarakhand etc.

- (v) **Politico-Administrative Factors:** Regionalism made its appearance as a reaction against the efforts of the national government to impose a particular ideology, language or cultural pattern on all people and groups. Thus, the States of South have resisted imposition of Hindi as official language because they feared this would lead to dominance of the North. Similarly, in Assam anti-foreigner movement was launched by the Assamese to preserve their own culture.

Also, the political parties, especially the regional political parties as well as local leaders exploit the regional sentiments, regional deprivation and convert them to solidify their factional support bases. They give place to the regional problems in their election manifesto and promise for political and regional development.

In the present day Indian political scenario, some regional parties have emerged strongly and captured power in some states like Tamil Nadu, Andhra Pradesh, Assam (Regional parties like ADMK, AIDMK in Tamil Nadu; Telegu-Desam in Andhra Pradesh; Assam Gana Parishad in Assam). That apart some other regional parties like Akali Dal in Punjab, Jharkhand party in Bihar etc. have posed constant threat to the nation.

Even India, which is bounded by common culture has released on this and many thousands years ago and so, for every Indian, it is an identity of an Indian first with outside the India and then comes to a regional identity. In a positive sense, many Regional parties which were formed with the regionalist feeling of people make a positive sense when they come for the regional development without discriminating against outsiders.

- (vi) **Modernisation and Mass-participation:** The interaction between the forces of modernisation and mass participation have also largely contributed to the growth of regionalism in India. As the country is still away from realising the goal of a nation state, the various groups have failed to identify their group interests with national interests; hence the feeling of regionalism has persisted.

The growing awareness among the people of backward areas that they are being discriminated against has also promoted feeling of regionalism. The local political leaders have fully exploited this factor and tried to feed the people with the idea that the Central Government was deliberately trying to maintain regional imbalances by neglecting social and economic development of certain areas.

REGIONAL DISPARITY IN INDIA

1. INDICATORS OF REGIONAL DISPARITY

India is facing the problem of acute regional imbalances and the indicators of such imbalances are reflected by the factors like per capita income, the proportion of population living below the poverty line, the percentage of urban

population in total population, percentage of working population engaged in agriculture, the percentage of workers engaged in industries, infra-structural development etc.

In India, some important socio-economic indicators are very prominent to reflect the regional imbalances between various regions or states of the country.

1. State per Capita Income

The estimates of national income (measured as net national income) and per capita income (measured as per capita net national income) of the country during the last three years are as under:

The date shown here clearly shows the state wise imbalance with regard to per capita income. This continued imbalance has been one of the main causes of the persistence of the regionalism in India.

2. Inter-State Disparities in Agricultural

Another important indicator of regional disparities is the differences in the levels of agricultural and industrial development between different states of the country. In India, states like Punjab, Haryana and part of Uttar Pradesh had recorded a high rate of agricultural productivity due to its high proportion of irrigated areas and higher level of fertilizer use.

In an estimate it was found that the net irrigated area as per cent of net area sown in Punjab was as high as 91 per cent in Punjab, 80 per cent in Haryana as compared to that of only 14 per cent in Kerala, 17 per cent in Himachal Pradesh and 21 per cent in Assam. There is also acute disparity in terms of food grain production among states. Few states contribute more than half of the production of food grain produced in India.

3. Population Below Poverty Line

Percentage of population living below the poverty line in different states is another important indicator of regional imbalance or disparities.

Bihar, Orissa, Madhya Pradesh and Uttar Pradesh are the four states which have the highest percentage of population below the poverty line as well as they have the lowest per capita income in the country.

Again, there are some states like Andhra Pradesh, West Bengal, Karnataka and Tamil Nadu which have achieved a comparatively higher per capita income but instead they maintain higher percentage of population living below the poverty line. The main reasons behind such poverty are greater inequality of incomes and the neglect of the backward classes of population. Again Punjab is the state which is maintaining the highest per capita income among all the states and the lowest percentage of population living below the poverty line.

The main reasons behind this low percentage of poverty in Punjab and Haryana are their strong production base and better distribution of income. Although Maharashtra, Tamil Nadu and West Bengal are having a strong production base but they did not experience a fair distribution of income. This has caused a comparatively higher degree of poverty in these states in spite of having strong production base.

4. Spatial Distribution of Industries

Another important indicator of regional imbalance is the uneven pattern of distribution of industries. Since independence, states like Karnataka, Andhra Pradesh, Kerala, Gujarat, Punjab and Haryana have achieved considerable development in its industrial sector. But West Bengal could not keep pace in its industrial growth as much as other industrially developed states. In this way disparities in industrial growth between different states have been reduced to some extent. There is a gross imbalance in the regional location of industries in India. **The five major industrial states of India, i.e., Maharashtra, Tamil Nadu, Gujarat, West Bengal and Andhra Pradesh jointly accounted 40 per cent of total location of all large factories, 55 per cent of total industrial employment, 59 per cent of total industrial output and 58 per cent of value-added.**

In respect of small scale industries, there has been a considerable concentration of such industrial unit in these five major industrially advanced states. But, due to repeated efforts of the government to disperse such concentration, the degree

of such concentration has been declining gradually. In recent years, the states like Punjab, Haryana, Kerala and Karnataka have recorded considerable development of industries, especially in the small scale sector.

5. Degree of Urbanisation

Disparities in the degree of urbanisation are another important indicator of regional imbalance. In respect of urbanisation, the percentage of urban population to total population is an important indicator. The states which are maintaining higher percentage of urban population than the national average include Maharashtra, Tamil Nadu and Gujarat and then followed by Karnataka, Punjab, Andhra Pradesh and West Bengal. Whereas, the states which are having a lower degree of urbanisation include Himachal Pradesh, Assam, Bihar, Orissa, Arunachal Pradesh etc.

6. Per Capita Consumption of Electricity

Per capita consumption of electricity is also another important indicator of regional disparities. States like Punjab, Gujarat, Haryana, Maharashtra etc., having higher degree of industrialisation and mechanisation of agriculture, have recorded a higher per capita consumption of electricity than the economically backward states like Assam, Bihar, Orissa, Madhya Pradesh and Uttar Pradesh.

7. Employment Pattern

Employment pattern of workers is also an important indicator of regional disparities. States attaining higher degree of industrialisation are maintaining higher proportion of industrial workers to total population. It is found that industrially developed states like Maharashtra, Gujarat, Haryana, Punjab, Tamil Nadu and West Bengal are maintaining a higher average daily employment of factory workers per lakh of population as compared to that of lower average maintained in industrially backward states like Assam, Orissa, Uttar Pradesh, Rajasthan etc.

8. Intra-State Imbalance

Intra-state imbalance is another important indicator of regional imbalance existing within each particular state. There is a growing tendency among most of the advanced states to concentrate its developmental activities towards relatively more developed, urban and metropolitan areas of the states while allocating its industrial and infra-structural projects.

2. MEASURES FOR CORRECTING REGIONAL IMBALANCES

Regionalism is an important aspect of Indian politics and sometimes it has posed threats to unity and integrity of the country. Therefore, it is necessary to take steps to reduce such tendencies. Some such measures can be:

1. To promote even development of the hitherto neglected areas so that they feel a part of the national mainstream.
2. The central government must not interfere in the affairs of the State unless it is unavoidable for national interest.
3. Problems of people must be solved in a peaceful and constitutional manner. Politicians must not be allowed to misuse the issue of regional demands.
4. Except for issues of national importance, the states should be given freedom to run their own affairs.
5. Changes are necessary in the Central-State relations in favour of the states, and for introducing a system of national education that would help people to overcome regional feelings and develop an attachment towards the nation.
6. There should be balanced regional development in formulating the economic policies of the state so as to avoid the economic negligence of a particular region
7. The excessive interference of the central Government in the affairs of the state should be minimized unless it is unavoidable for National interest.
8. There should be a friendly relationship between the center and the states with the national education system so that it would help to overcome the regional feelings and develops an attachment towards Nation.

In spite of all these efforts and policies undertaken by the government, the inclusive and balanced growth is far from achievement due to the lack of supervision, inefficient in policy implementation, lack of support of the community, inefficient administration etc.

Different states are backward for different reasons viz. some states are backward because of flood while others have the problem of drought, some other states are backward because of poor law and order. So, separate strategy should be set up for each backward state.

Government should have to enhance its supervision in all activities which are performed at regional level or rural level. In agricultural region, government should encourage the farmers to do horticulture, animal husbandry, fishing, dairy farming etc. along with agriculture.

Government should provide proper finance for the development of infrastructure in backward areas, and all the state governments should spend this amount in respective time not in election time. In short, it can be concluded that regional development of the country is still imbalanced. A few states are relatively more developed and many states are quite backward. So government has to increase its supervision in respective activities and put more efforts to minimize regional inequality from the country.

3. ROLE OF REGIONAL PARTIES

Though, the regional parties operate within very limited area and pursue only limited objective, they have played significant role both in the State as well as national politics. The regional political parties formed governments in several states and tried to give concrete shape to their policies and programmes. Some of the important regional parties which formed governments in various states include DMK and AIADMK in Tamil Nadu; National Conference in Jammu and Kashmir; Telugu Desam in Andhra Pradesh; Asom Gana Parishad in Assam; Maharashtrawadi Gomantak Party in Goa; Mizo National Front in Mizoram; Sikkim Sangram Parishad in Sikkim; All Party Hill Leaders Conference in Meghalaya and Indian National Lok Dal (INLD) in Haryana.

Some of the regional parties were also partners in the coalition governments formed in several States after the fourth general elections of 1967. At the Centre also, of late the Regional Parties have been able to play critical role in helping formation of Congress government. DMK, a regional party, supported Mrs. Indira Gandhi's government after split in the party in 1969 and enabled her to carry on government despite loss of majority in the Parliament. Telugu Desam was the pillar of strength for the United Front and later the National Democratic Alliance.

The representatives of the regional parties focus the attention of the Parliament on issues in their region and try to influence the policies of the Government to promote their own interests. But, probably the greatest service rendered by the regional political parties is that they have focused the attention of the people in remote areas on various political and economic issues and contributed to their socio-political awakening.

The important contribution of the regional parties is in that they have been able to impress on the national political parties that they cannot put up with their attitude of indifference towards regional problems and issues. This has compelled them to take keen interest in the resolution of their problems. In short, it can be said that the regional political parties have not only profoundly influenced the regional politics but also left tremendous impact on the national politics.

4. REGIONALISM VERSUS FEDERALISM

Ever since the inception of the Constitution, there has been a continuous demand for respecting the federal features of the Indian political system. Moreover, there has also been the demand for decentralization of resources and powers, both for the States level and to grass root levels. Divergent ethnic identities and their continuous struggle for more autonomy as expressed in the demand for separate statehood for themselves, within the federal system too much complicated the work of a centralized governance from any level.

These developments become much important for a more federal democratic form of Government in India. The battle for federalism in India is fundamentally a battle for greater democracy in which the people come into their own through social identities, organizational forms and institutional frameworks with which they feel comfortable and through which they can find their potency and self-respect. From a constitutional-legal perspective it has been emphasised that the pragmatic nature of Indian federalism might lead to conflicts and tensions in a diverse society. In same context, it is opined that India is clearly undergoing a federalizing process in the course of which federal diversity is increasing. It is, a recurrent feature of this process that in the course of democratizing of a society, regional and linguistic-cultural communities become more articulate and demand recognition in the form of a set of political institutions, including safeguards for the identity of the particular community.

It is also argued that the federalism we have, is an ambivalent federalism which gave the Centre much scope and initiative, a major share in resources and all residual functions, but simultaneously gave the States considerable powers and scope for maneuver. During the period of emergency, Mrs. Indira Gandhi created concentration and centralization of powers in the Centre as absolute nature. The federal system had faced various strains having been sandwiched between the increasing concentration of powers and the increasing strength of regionalism. The Janata Government was formed with the help of many regionally based political parties. It demonstrated a counter balance against centralisation of powers in India's federal system.

Moreover, the matters of regional and local identities and States' rights, the question of decentralization of power was deeply emphasised in any kind of State and Centre Government's meeting.

The Administrative Reforms Commission, 1966 and Sarkaria Commission, 1983 had suggested for decentralization and State autonomy, both at the State or federal levels to build a cooperative relation between Union and States. As the

true decentralization of local institutions would help to counter the threat of centrifugal forces, helps to grow people participation, emphasises on our democratic polity, and provides stability of relations among inter-governmental authority.

In 1977, the Government of West Bengal demanded more autonomy to the States in its Memorandum on Centre-State Relations, submitted to the Central Government. They also further expressed: 'We are definitely for strong States, but on no account do we want a weak Centre. The concept of strong States is not necessarily in contradiction to that of a strong Centre, once their respective spheres of authority are clearly marked out'. As there is the need for grassroots policy in rural and urban as a devolutionary method along with space for several regional identities.

The process of infra-structuring of the Indian federation is not yet over. Therefore, political demands of viable regions for new administrative arrangements are not necessarily antithetical to the territorial integrity of the country. For, every urge for autonomy is not divisive, but most probably a complementary force; it would not lead to balkanization but to the restructuring of nation identity. Insofar as Indian federalism and the question of decentralization is concerned, there had never been a case of continuous centralization on a long-term basis, rather across institutions and policy areas in India, the directions or the underlying patterns point towards pluralism, regionalism, and decentralization.



Summary

Society:

- Society has been described as a chain of social relations.
- A relationship is social when it is determined by mutual awareness, that is, the behaviour of an individual influences the behaviour of another.

Features of society:

- | | | | |
|----------------|-----------------------------|----------------|--------------------|
| 1. Likeness | 2. The reciprocal awareness | 3. Differences | 4. Interdependence |
| 5. Cooperation | 6. Conflict | | |

Regionalism:

- Regionalism has been interpreted as extreme loyalty to or love for a particular region which may undermine the interest of the nation or of the state of which the region is a part.

Characteristics of Regionalism:

- Regionalism is conditioned by economic, social, political and cultural disparities.
- Regionalism at times is a psychic phenomenon.
- Regionalism is built around as an expression of group identity as well as loyalty to the region.
- Regionalism presupposes the concept of development of one's own region without taking into consideration the interest of other regions.
- Regionalism prohibits people from other regions to be benefited by a particular region.

Regionalism in India:

- In the pre-independence days, it was promoted by the British imperialists.
- The first manifestation of regionalism was the demand for linguistic states.
- The Indian National Congress also contributed to the growth of regionalism in India.

Forms of Regionalism Found in India:

- Tendency of secession from the Indian Union
- Demand for separate state within the Indian Union
- Demand for autonomy
- Inter-state disputes as a manifestation of regionalism
- The idea of 'Sons of the Soil' as a manifestation of regionalism
- Militant regionalism
- Linguistic regionalism

Causes for the Growth of Regionalism:

- | | | |
|-----------------------|-----------------------------------|--|
| - Geographical Factor | - Historical and Cultural Factors | - Caste and Religion |
| - Economic Factors | - Politico-Administrative Factors | - Modernization and Mass-participation |

Indicators of Regional Disparity:

- | | |
|---------------------------------|---|
| - State Per-capita Income | - Inter-state Disparities in Agricultural Development |
| - Population below Poverty Line | - Spatial Distribution of Industries |
| - Degree of Urbanization | - Per-capita Consumption of Electricity |
| - Employment Pattern | - Intra-state Imbalance |

Structure

- ❖ Objectives
- ❖ Introduction
 1. Origin of the Concept
 2. Meaning of the Concept
 3. Secularization: Characteristics and Factors
- ❖ Models of Secularization
 1. Western Model of Secularism
 2. Indian Model of Secularism
 3. Difference between Western and Indian Models
- ❖ Secularism in India
 1. Historic Evolution
 2. Secularization of the Constitution
 3. Secular Ideals in the Constitution
 4. Court Cases Related to Secularism
 - M Ismail Faruqui vs. Union of India
 - S.R. Bommai vs. Union of India
 - Aruna Roy vs. Union of India
- ❖ Challenges for Secularization
 1. Problem of the Uniform Civil Code
 2. Politics and Religion
 3. Cultural Symbols and Secularism
 4. Inter-religious Domination
- ❖ Summary
- ❖ UPSC Previous Year Questions
 - Prelims Questions
 - Mains Questions with Approach
 - Prelims/Mains Question Trend Analysis

Objectives

In this chapter, we shall study:

- The meaning and models of secularism
- Secularism in India
- Challenges for secularization

INTRODUCTION

1. ORIGIN OF THE CONCEPT

The word 'secular' is derived from the Latin word 'saeculum', which means the 'present age or generation'. The word secular came to be associated with the social process of secularisation. Secularisation came into use in Europe, to describe the transfer of territories previously under the control of the church to the dominion of secular authority or the state. As regards India, secularism did not grow as a reaction to the excesses of religion. In India, different religious cults have been practised at different times and there is little in the indigenous literature of India that would suggest the existence of a state of religious persecution. Indians were and are tolerant of variant beliefs.

Secularism was an ideological goal of the new political philosophy and movement after the French Revolution. Later in 1851, George Jacob Holyoake coined the term secularism. He declared it as the only rational basis of political and social organisation. Holyoake questioning the religious basis of civil society, recommended secularism as state ideology which promotes human welfare by material means and makes the service of others its duty.

2. MEANING OF THE CONCEPT

Secularism is a belief that religion and religious bodies should have no part in political or civic affairs or in running public institutions. Thus, it is rejection of religion or its exclusion from philosophical or moral system.

Communalism is the antithesis of secularism. It is allegiance to a particular ethnic or religious group more than to the entire society in general.

Secularism as a progressive ideology was a necessary qualification for liberal, democratic state of the post French Revolution. These connotations are applied even to India as modern nation-state. A modern state by its definition and liberal and democratic policy makes no distinction between groups, classes etc. within society, irrespective of religious affiliation. The political philosophy on the part of the state required that the state shall not impose any religion on people and did not prohibit practice of religion by a section of the people.

3. SECULARIZATION: CHARACTERISTICS AND FACTORS

Characteristics of Secularization

- ❖ **Secularism protects both believers and non-believers:** Secularism seeks to ensure and protect freedom of religious belief and practice for all citizens. Secularists want freedoms of thought and conscience to apply equally to all – believers and non-believers alike. They do not wish to curtail religious freedoms.
- ❖ **Religious Freedom:** Secularism seeks to defend the absolute freedom of religious and other belief, and protect the right to manifest religious belief insofar as it does not impinge on the rights and freedoms of others. Secularism ensures that the right of individuals to freedom of religion is always balanced by the right to be free from religion.
- ❖ **Secularism is about democracy and fairness:** In a secular democracy, all citizens are equal before the law and parliament. No religious or political affiliation gives advantages or disadvantages and religious believers are citizens with the same rights and obligations as anyone else.
- ❖ **Secularism champions universal human rights above religious demands.** It upholds equality laws that protect women, LGBT people and minorities from religious discrimination. These equality laws ensure that non-believers have the same rights as those who identify with a religious or philosophical belief.
- ❖ **Equal access to public services:** We all share hospitals, schools, the police and the services of local authorities. It is essential that these public services are secular at the point of use, so no-one is disadvantaged or denied access on grounds of religious belief (or non-belief). All state-funded schools should be non-religious in character, with children being educated together regardless of their parents' religion. When a public body grants a contract for the provision of services to an organisation affiliated to a particular religion or belief, such services must be delivered neutrally, with no attempt to promote the ideas of that faith group.
- ❖ **Secularism is not atheism:** Atheism is a lack of belief in gods. Secularism simply provides a framework for a democratic society. Atheists have an obvious interest in supporting secularism, but secularism itself does not seek to challenge the tenets of any particular religion or belief, neither does it seek to impose atheism on anyone. Secularism is simply a framework for ensuring equality throughout society – in politics, education, the law and elsewhere – for believers and non-believers alike.

- ❖ **Secularism protects free speech and expression:** Religious people have the right to express their beliefs publicly but so do those who oppose or question those beliefs. Religious beliefs, ideas and organisations must not enjoy privileged protection from the right to freedom of expression. In a democracy, all ideas and beliefs must be open to discussion. Individuals have rights; ideas do not.

Factors of Secularization

The secularism in our country did not evolve on the Western lines. India's social, religious and political traditions, by and large, have been secular in their making itself. Secularization in India is partly the result of her rich religious and cultural heritage and partly the result of her peculiar background of brutal and barbarous conflicts that raged all over the country during the period of transition from one rule to another.

It is true that religion has ceased to have a kind of hold that it had in the medieval society. We no longer define our world in mystical religious terms. It seems that religious institutions ceased to be central in society. Besides, industrialisation and technological application to some extent rationalised the framework of social life. Some of the factors of secularisation in modern times are discussed as under:

- ❖ **Science:** In the modern era, science has been the deadly bane of monotheistic religions. Ideas such as the Big Bang, natural cause and effect, philosophy, theory of evolution, biology, ancient history, geology, archaeology, tectonics and physics have also been serious thorns in the side of religion. It appears that each major advance of science reduces the assumed power of god, so that God has become what is called "God of the gaps". The result has been the loss of public confidence in the ability of faith to address fact until science supplanted religion altogether as the intellectually most satisfying and credible explanation of the world. Still, while it was believed that the advancements in science would make religion obsolete but they have not.
- ❖ **Modernism:** Modernism is largely tied up with individualism and compartmentalism. These are to do with the way our private lives have become separate to our political opinions, religious beliefs, intellectual achievements and work life. This compartmentalism has caused religion to lose its central role in people's lives. It used to be present from birth to death, but now each stage of our life has different authorities. We pick our employment, beliefs and lifestyles largely independently. They have to fit around each other. Modernism has seen religion succumb to reason and tolerance. Now, there is a free marketplace not just for goods, but for beliefs.
- ❖ **Internet:** Internet undermines religion in a number of ways, by undermining religious claims to truth through exposure to competing claims, by granting access to dissenters and those who present opposing ideas, through the undermining of monopoly of access over national broadcast media, and by destroying the effectiveness of the teacher-student model. All this threatens religion simply because truth and debates can be accessed by all, unlimited by restrictions that a religion can impose locally. This is why as modernism continues, large religious institutions are failing and smaller ones are at loss of popularity.

Previously, large and established traditional religious organisations could dominate national broadcast media and sometimes enact censorship with their greater output power, finance and access to national media. But, now with internet and access to social media, dissenting sects and individuals can explain their own points of view relatively unhindered; those who have been expelled can move abroad if they have to, and broadcast their own arguments back to their home country from a safe place abroad, over the Internet.

- ❖ **Communism:** The anti-religious force of communism implemented a picture of social conformity where people were equal, as the Buddha also wished, and suffering was reduced. Communism suppressed all forms of religion in wholesale, and considered the common good as the only valid holy thing. Communist countries were largely secular and the forces of communism helped in secularisation.
- ❖ **Individualism:** In the modern democratic India there is a culture of tolerance and moderation towards beliefs, so that people are willing to accept the most extreme differences of belief as reflecting personal choice, not as representing moral dilemmas that require state intervention. Intelligent discussions and debates are available on the Internet and in books, covering all aspects of belief. The era of individualism has made religion a private choice, not a communal one. People can pick and choose their beliefs from all those around them and no longer are strict religious bodies capable of enforcing the appearance of correct belief. Belief has become internalized in sync with the way that the dominance of personal opinion has come to reign over the now-defunct idea of a societal religious norm. Now, there is no public religion. People have come to accept that beliefs are beliefs; separate from the identity of an individual, and it is the right of no government or religion to impose their beliefs upon us.

Multiculturalism: "Societalization" is one of the main factors that is reducing the power of religion in the modern India. With increased multiculturalism comes increased compassion and humanitarian behavior towards those who are different. So it happens that when religious groups intermingle, illogical animosity decreases and it is no longer possible for one particular group to claim moral superiority when it becomes manifestly obvious that morals are cultural, and most religious believers are just as moral as anyone else.

Pluralism takes away from the powers of preachers to reassure the followers that they are inherently better than others; it defangs the aggressive notions that one religion is "better" than others in social terms. As a result, people live in a world where they can change religion, change beliefs and they are not going against all of society.

MODELS OF SECULARISM

SECULARISM

There are 3 commonly accepted definitions of secularism,

- 1) People-centric
- 2) State-centric
- 3) India-specific

❖ **The first people-centric definition** emphasises the idea of separating religion from politics, economy, education, social life and culture. The purpose of this separation is not to stamp religion out from life but to contain it to the private lives of individuals. A secular state is not supposed to discourage the practice of religion but neither can it base its policies on religion. The ultimate goal is to make religion a personal affair.

❖ **The state-centric definition of secularism** emphasises the need to keep the state neutral to all religions. Religious people would like to see the state to show equal regard to all faiths but others may demand the same respect for atheism. The demand normally is that the state must treat all its citizens equally. This means that the state must neither favour nor discriminate against citizens on grounds of their religion.

The containment of religion in life and the separation of state from religion are universally accepted definitions of secularism, even though these ideas had a distinctly European origin.

❖ **The third India-specific definition of secularism** underlines the importance of the unity of all people against colonialism and communalism. A secular state and society were a part of the social vision of the Indian national movement.

Hence, despite the awful violence in 1947 and the making of Pakistan apparently on religious lines, secularism remained the abiding principle and opposition to communalism was the chosen policy in Independent India.

Secularism, as an ideology, consists of the following five ideas.

- **Firstly**, it stresses the role of human autonomy. This means that secularism recognises the right of an individual to order his/her life independent of authority.

Paul Kurtz, secular humanist American philosopher, in 'A Secular Humanist Declaration' declares, 'Secular humanism places trust in human intelligence, rather than divine guidance. Secular humanists are sceptical of theories of redemption, damnation and reincarnation. So, they attempt to approach the human situation in realistic terms; human beings are responsible for their own destinies.'

Paul Kurtz (1925 – 2012) was Professor Emeritus of Philosophy at the State University of New York at Buffalo, He was a prominent American secular humanist. He has been called "the father of secular humanism". A Secular Humanist Declaration was an argument for and statement of support for democratic secular humanism. The document was compiled by Paul Kurtz.

- **Secondly**, secularism asserts that not only state and laws but family relations, education, morality, knowledge and values are also completely free from the dominance of religion.

According to Marc Gallanter, an American professor of Law, the specific point in India is not to keep religion out of politics but to keep it out of social relations.

(Gallanter is also an expert on the Bhopal disaster that occurred in Bhopal, India in 1984.)

- **Thirdly**, secularism seeks not just the autonomy of the individual but also the autonomy of reason. Reason is made the sole criteria of truth and this undermines the faith in religion and the authority of the church.

- **Fourthly**, secularism makes room for the values of pluralism and religious toleration because it does not make any religion final, infallible and beyond rational scrutiny. A plurality of religious world-views is therefore considered natural by secularists and tolerance is an attitude they value towards other religions and value systems.
- **Fifthly**, secularism is not anti-religion. Instead, it is concerned with the affairs of this world and considers that secular life and knowledge is autonomous.

This is pointed out by Saral Jhingran in her book, *Secularism in India: A Reappraisal*.

DIFFERENCE BETWEEN EUROPEAN AND INDIAN SECULARISM

THE EUROPEAN EXPERIENCE

Secularism was the conscious affirmation to the goals of Reformation and the Renaissance which asserted the dignity of the person. The individual person was the concern of Reformation in the 16th century. Martin Luther, the principal initiator of the Protestant Reformation, had advocated the individual's right to understand the word of God, independent of the Church.

The Renaissance thinkers and astronomers, challenged the theological visions of the cosmos. Darwin's theory of evolution through natural selection confronted the Christian dogma about the earth being a creation of God and Adam and Eve being our common ancestors.

The secularization process popularized these ideas among people through publicity, viz. mass education, free press and social movements. In the 19th century, the great secularist campaigner, Charles Bradlaugh, an English political activist, believed that extensive propaganda would ensure secularization. He held that secular ideas could be spread better not by playing on flutes but by the beating of drums.

The secularization process in the West took place in a specific social milieu. It had several distinctly national features. The demands of parishes (a small administrative district typically having its own church and a priest or pastor) were curtailed, a number of clerical establishments were liquidated, the staff of the clergy was reduced and the principle of election was instituted among clergy men. Practice of feudal privileges based on heredity, oppression based on the will of the Sovereign and the 'Divine Right' of monarchs to rule was challenged on rational grounds. In the emerging modern nation-states, democracy was proclaimed and the rights of citizens were guaranteed.

Secularisation also gave birth to a large mosaic of relations between socio-political institutions and religion in western Europe itself. The Church of England became subordinate to the British sovereign because as it was also the supreme governor of the Church of England. France, though Catholic, has become rigidly secular since 1905 when the Catholic Church was disestablished. French Government showed no preference for any religious group and prohibits clerics from teaching in the public schools.

Mexico, where Catholics formed 92% of the total population in 2000, has implemented the most anti-clerical legislation in the West. Here it was legislated that:

- Church property belongs to the state;
- Worship services outside the Church was forbidden till some years ago;
- The government can open any place of worship and determine the number of clerics permitted in it;
- The clergy cannot vote, participate in politics, wear vestments in public or criticize public officials; and
- The church cannot own radio and television stations

THE INDIAN EXPERIENCE

European secularism was based on Renaissance thought and industrial capitalism. On the other hand, the Indian secular experience is different from the European experience due to colonialism. Colonialism was not chosen by Indians but was imposed on India aggressively since the 18th century. Colonialism had a debilitating impact on both the development of Renaissance-like thought and industrial capitalism in India.

Sushobhan Sarkar, an Indian historian, said the 19th century Renaissance in Bengal was partial and artificial. He noted two vital differences between the Indian and European forms of Renaissance. Firstly, the European Renaissance flourished in free and independent states whereas the Indian Renaissance struggled to make its appearance in a colonial situation of foreign conquest and domination.

Secondly, the European Renaissance liberated the mind but this liberation was a part of a magnificent process in which Europe 'discovered' the world. The world witnessed a revolution in religion, the foundation of modern science, the rise of centralised states, a beginning of the breakup of the old social system in which the bourgeoisie limited the power of monarchs, and the reorganisation of trade, industry and agriculture. The Indian Renaissance did not have any such sweep or vitality.

In the context of secularisation, there has been a considerable debate about the suitability of the concept and practice of secularism in India and the differences between Gandhi and Nehru on this issue.

T.N. Madan in his 'Secularism in its Place' makes a guarded attack on modernization. He says that secularism and Indian culture are mismatched due to two reasons. He said the mainstream Enlightenment view was that religion is irrational. If secularism wants to remove religion from Indian public life and culture, this will not happen. Secondly, Madan says that no religion would go away on eviction. In fact, there will be a strong cultural resistance if religion is forcibly evicted. Madan further claimed, Nehru did not adopt the forcible eviction model of Turkey but Nehruvian ideologues tried to use state institutions for attaining secular objectives. They failed and some of the responsibility for the eruption of religion bigotry and communal violence must be laid at their door.

Madan offers two incompatible proposals to counter bigotry and intolerance. First, he wants that nobody should demand the removal of religion from public life. He wants the resources of every religion to be used for spreading tolerance and fighting fanaticism. Second, Madan wants the available versions of secularism to be rejected and, in their place, 'a modern secularism appropriate to the cultural context of India' is required to be incorporated.

Ashis Nandy, an Indian political psychologist, has made a flamboyant and sweeping attack on Modernization. He distinguishes religion as faith from religion as ideology. Religion as faith is 'a way of life, a tradition which is definitionally non-monolithic and operationally plural.'

Religion as ideology, on the other hand, is a 'subnational, national or cross-national identifier of populations contesting for or protecting non-religious, usually political or socio-economic, interests'.

Modernization produces religion as ideology and then generates secularism to meet its challenge. Nandy says modern scientific nationalist secularism is in crisis. He says that in places where religion has immense importance it is not possible to make religion a matter of private preference. Religion inevitably enters public life through the back door and this leads to communalization of politics.

On the other hand, Nandy observed, secularism has turned into an intolerant ideology with modernization, development, scientific growth and nation-building as its allies or constituents. This secularism alienates believers and breeds both old and new kinds of violence. Such secularism breeds old violence in the form of backlash of marginalized believers which in turn reinvigorates bigotry and fanaticism. Secondly, this secularism generates new violence between nation-state and religious communities.

Like Madan, Nandy also wants the rejection of secularism and inclusion of notions of tolerance existing in different faiths of India. Nandy says that there exist two notions of secularism. One is the standard Western one which keeps religion out of politics. The second alternative, non-Western secularism must have space for continuous dialogue among religious traditions and among the religious and the secular. Hence, Nandy rejects modernity and the modern notion of secularism, and proposes tolerance of traditional religions.

SECULARISM IN INDIA

India, as we all know is a home of many religions and is a multi-religious society. Religion plays an important role in the lives of Indians. Passions and hatred are whipped in the name of religion. Religious conflict and communal violence has become a part of our social scenario owing to the multi-religiosity of Indian society.

1. HISTORIC EVOLUTION

The Indian intellectual elite of the 19th century, which was a creation of the British rule, was naturally drawn towards secularism. They admired the British administration for its making a departure from medieval polity in which the state was considered more or less the private property of the ruler and where there was no scope for the rule of law. The British administration, in spite of its being imperialist in tone and character, gradually set the political machine in motion for enthroning the concept of individual rights over and above that of passive obedience and quiet submission to the commands of the state. Raja Ram Mohan Roy was the first Indian of the modern era, who not only deeply felt but also publicly admitted that his country was grateful to the British nation for teaching her democratic and secular values of the West.

The secular idea was adopted during the freedom struggle to unite the various communities against the colonial power. The maturing of secular concept is closely linked up with the development of nationalism during the long course of the freedom struggle. Later, the secular concepts were incorporated in the constitution. And, for Nehru, the imperative of secularism was not only for detachment of religion in public life but progressive and modern outlook. It also meant that all the citizens enjoyed equal rights and status. Secularism, nationalism, and democracy are therefore, mutually reinforcing ideals that were sought to be emphasised by the post-colonial state in India. The secular ideal enshrined in our constitution was a peculiar mix of ethnic identities and common citizenship. It tries to ensure pluralities within a democratic nation-state. This inbuilt contradiction in our polity makes it very difficult for the secular ideal to be practiced in reality.

2. SECULARIZATION OF THE CONSTITUTION

As already mentioned, the Preamble of Indian Constitution aims to constitute India as a Sovereign, Socialist, Democratic Republic. The terms Socialist and Secular were added to it by the 42nd amendment. The whole constitution is summarized in the preamble. It is the mirror to the spirit of the constitution. The arrangement of the words in the preamble is also very significant. Indian society is a multi – religious society, it is having different caste, religion along with several religion diversification. So, all these are the divisive factor in some way or the other and if not handled carefully then can cause a threat to the unity and integrity of the nation.

Fraternity is a very significant tool to combat the divisive forces. Religious harmony is a must to promote fraternity particularly in Indian context. So, it's a constitutional mandate upon the state to combat the factors which curtails religious fraternity. It is also incumbent upon the state to take positive as well as negative actions to promote fraternity. Article 25(1) guarantees to every person the freedom of conscience and the right to profess, practice and propagate religion.

So, it is the manifestation of state neutrality in the matter of religion as it implies equal conservations of all religion and equal religious right to all the citizens. Along with that it prohibits discrimination on the ground of the religion race, caste, sex or place of the birth. Article 29(2) provide that no citizen shall be denied admission into any educational institution maintained by the state, receiving aid out of the state funds on grounds only of religion, race, caste, languages or any of them.

The concept of secularism was not expressly incorporated in the constitution at the stage of its making. However its operation was visible in the fundamental rights and directive principles. The concept of secularism, though not expressly stated in the constitution, was, nevertheless deeply embedded in the constitutional philosophy. The concepts of secularism are not static; it is elastic in connotation. In this area, flexibility is most desirable as there cannot be any fixed views in this concept for all time to come.

As Article 25, 15(3), 29 reflect the state neutrality in the matters of religion. These are the restrictive dimensions of secularism. Now the question for consideration is that whether this state neutrality or such restricted role is sufficient to fulfill the constitutional goal which is incumbent upon the state. To answer this question the nature of Indian secularism has to be keenly observed. The western secularism implies the state neutrality in the matters of religion because they are having a uni-religious society. So state neutrality is sufficient and no further action is required on the part of the state to create religious harmony.

3. SECULAR IDEALS IN THE CONSTITUTION

Post independence, process of secularisation has been strengthened by the Constitution. The concept of secularism is one facet of the right to equality woven as the central golden thread in the fabric depicting the pattern of the scheme in our constitution.

- ❖ **Preamble:** Preamble was amended and for the words 'Sovereign Democratic Republic' the words 'Sovereign', 'Socialist', 'Secular', 'Democratic Republic' were substituted by 42nd Amendment Act in 1976.
- ❖ **No State Religion:** There shall be no 'state religion' in India. The state will neither establish a religion of its own nor confer any special patronage upon any particular religion. It follows from:
 - **Article 27:** The state will not compel any citizen to pay any tax for the promotion or maintenance of any particular religion or religious institution.
 - **Article 28:** No religious instruction shall be provided in any educational institution wholly run by state funds. While religious instruction is totally banned in state-owned educational institutions, in other denominational institutions it is not totally prohibited but it must not be imposed upon people of other religions without their consent.
- ❖ **Equality:** Article 14 grants equality before law and equal protection by the laws to all. Article 15 enlarges the concept of secularism to the widest possible extent prohibiting discrimination on grounds of religions, race, caste, sex or place

of birth. Article 16(1) guarantees equality of opportunity to all citizens in matters of public employment and reiterates that there would be no discrimination on the basis of religion, race, caste, sex, descent, place of birth and residence.

- ❖ **Freedom of Conscience under Article 25:** Every person is guaranteed the freedom of conscience and the freedom to profess, practice and propagate his own religion, subject only to restrictions imposed by the state on the interest of public order, morality and health (so that the freedom of religion may not be abused to commit crimes or antisocial acts, e.g., to commit the practice of infanticide, and the like); to regulations or restrictions made by state relating, to any economic, financial, political or outer secular activity which may be associated with religious practice, bill do not really related to the freedom of conscience;
- ❖ **Freedom to Manage Religious Affairs under Article 26:** This article gives the right to every religious denomination, or any section thereof, to exercise the rights it stipulates.
- ❖ **Cultural and Educational Rights:** Under Article 29 and 30 certain cultural and educational rights are guaranteed. Article 29 guarantees the right of any section of the citizens residing in any part of the country having a distinct language, script or culture of its own and to conserve the same. Article 30 provides that all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.
- ❖ **Uniform Civil Code (Article 44):** The constitution has a provision for Uniform Civil Code in Article 44 as a Directive Principle of State Policy which states that "The State shall endeavor to secure for the citizens a uniform civil code throughout the territory of India."

It is clear from the constitutional scheme that it guarantees equality in the matter of all individuals and groups irrespective of their faith emphasizing that there is no religion of state itself. The Preamble of the Constitution read in particular with Article 25 to 28 emphasizes this aspect and indicates that it is in this manner, the concept of secularism is embodied in the constitutional scheme as a creed adopted by the Indian people has to be understood while examining the constitutional validity of any legislation.

Education and intelligence as a whole are contradictory to faith and belief. Intelligent philosophers, over thousands of years, and others, have been recorded voicing their questions, doubts and concerns over the beliefs of popular religion. Great reformers and social workers used science, education and human reason to secularise society.

4. COURT CASES RELATED TO SECULARISM

M Ismail Faruqui vs. Union of India

The courts decide from time to time the contours of the concepts of secularism and enforce it in practice. In M Ismail Faruqui vs. UoI, it was held that it is clear from the constitutional scheme that it guarantees equality in the matters of religion to all individuals and groups irrespective of their faith emphasizing that there is no religion of the state itself. The preamble of the constitution read in particular with articles 25 to 28 emphasis this aspect and indicates that it is in this manner this concept of secularism embodied in the constitutional scheme as a creed adopted by the Indian people has to be understood while examining the constitutional validity of any legislation on the touch stone of the constitution.

The concept of Secularism is one facet of the Right to Equality woven as the Central golden thread in the fabric depicting the pattern of the scheme in our Constitution. Any steps inconsistent with these mandates are Unconstitutional. The Court further held that any state Government which pursues un-secular policies or un-secular course of action acts contrary to the Constitutional mandate and renders itself amenable to action under article 356.

S.R. Bommai vs. Union of India

In S.R. Bommai vs. UoI "It was held that Religious tolerance and equal treatment of all religious group and protection of their life and property and the places of their worship are an essential part of secularism enshrined in our constitution. while the citizen of this country are free to profess, practice and prorogate such religion, faith or belief as they choose, so far as the state is concerned i.e. from the point of view of the state, the religion, faith or belief of a person is immaterial to it, all are equal and all are entitled to be treated equally." Further the Court while emphasizing upon the significance of Secularism declared it as the basic structure of the Constitution.

Aruna Roy vs. Union of India

In Aruna Roy vs. UoI, the court held that concept of secularism is not endangered if the basic tenets of all religions all over the world are studied and learned. Value based education will help the nation to fight against fanaticism, ill-will, violence, dishonesty and corruption. These values can be inculcated if the basic tenets of all religions are learned. The Hon'ble Supreme court has held in Lata Singh vs. state of U.P., that caste barriers in societal interactions are anti-secular.

Inter caste marriage shall be promoted, protected and conserved by the state to promote greater secular values. This is also a part of secularization process. The concept of secularism is not merely a positive attitude of religion tolerance. It is also a positive concept of equal treatment of all religions.

In Indian context the state as a neutral entity in a matter of religion was never an issue because all elements enshrined in the constitution are interwoven and we have adopted our society with all its peculiar features thereby automatic adoption of the multi religiosity also. It's a constitutional mandate upon the state to bring a harmonization between various religions. So, Indian secularism has to be seen in its own light as compared to the western secularism. In Indian context mere state neutrality in the matters of religion is not sufficient as article 25, 15(1), 29(2) manifests non declaration of any state religion or it talks about a mere guarantee of fundamental right to religion to the citizens. These are the restrictive or narrow aspects of secularism in Indian context. Indian secularism requires something more than the above mentioned things. It's a way of life in India as it is deep rooted in Indian society. So to promote the constitutional goal of fraternity, for promotion and assurance of individual dignity and unity and integrity the pro active role of the state is required for religious harmony and tolerance.

It is State's responsibility that it has to curb the situations which would result in to religious apathy and try to create a balance in religious diversities which exists both in belief and practice in India. Socio economic upliftment, creation of religious harmony, inculcating religious tolerance among the citizens by education regarding secular values can be some tools to promote secularism in Indian context.

CHALLENGES BEFORE SECULARISATION

Focusing on the contemporary scene, discerning and sensitive Indians are shocked and alarmed by the recent threats to secularism which have assumed massive proportions. It is pertinent to ask: Why this schism between the visions of a secular, unified India as enshrined in the Constitution and the grim reality of serious threat to the secular design of Indian nationalism?

Much more disquieting is to find that Indians at all levels are still not aware of the vast dimensions of the danger to Indian nationalism from anti-secularism. There is a wide communication gap between the secular elements of the intelligentsia and the masses which implies that the masses are exposed to the ideological offensive from the anti-secular forces without any counteracting approach and mobilisation by the secular forces.

The anti-secular offensive can be resisted only by a nationwide dialogue and debate among people representing all points of the view. The important point to note is that this national debate and dialogue must not exclude elements which are rooted in religious approach and which derive their inspiration from the religious worldview. In fact, the national debate and dialogue will assume a wide national character and sweep only if it encompasses elements belonging to all the religions of India. **It must be further noted that the secularisation process has evolved in India not only in the form of intellectual encounter of the secular forces with and against religion, but as a fight within religion itself, especially against certain obscurantist and retrogressive features of religion.**

Secularisation process in India has evolved in an important way as on the encounter between the retrogressive and progressive processes, within religion itself. This phenomenon can be seen in the encounter between Brahmanism and Buddhism, between forces of religious bigotry and social rigidity on the one hand and the forces of religious freedom and social emancipation released by the Bhakti movement on the other in the medieval period. **It can be seen in the rise of secularising movements within religion in the modern period led by saints and sages like Swami Vivekananda and modern thinkers like Maulana Abul Kalam Azad.**

There is no doubt about the fact that secularism is a basic feature of Indian society but it is also not true that Indian society has never seen the situation of religious tension or conflict. Growing communalism, orthodoxy, religious superstitions are the impediments in the way of modernization and secularization of Indian society. The trends of encouraging the religious orthodoxy and appeasement are still present in the political system. More aggressive and violent inclination is being expressed by people towards religious identity. Logical approach towards religion is being adopted but superstition, religious evils are still parts of life style of most of the people. In this background, few of the factors obstructing the way of secularism can be discussed as.

1. PROBLEM OF UNIFORM CIVIL CODE

In many countries nowadays (esp. in the west) secularism is touted as the most fair way to balance what groups of people believe is right and the truth, and the ruling over them by practical means. If you tried to implement different laws

to different people a crisis would appear. Groups will gravitate to their own communities and set up their own "virtual mini-states" within the state. This is obviously an untenable situation. Such a scenario would be ripe for fragmentation. So, what is required is some unifying system that everyone can agree on so that a large community of people can be effectively governed.

We see this applied in countries like the US, the former Soviet Union, where there are numerous groups, many at odds with each other regarding this very fundamental problem of right and wrong and justice. And this needed "magic solution" is seen as Uniform Civil Code. Basically, what it says is that, we agree to have our own beliefs but we shall keep that at a personal level and so should you. So, to keep us together, we shall agree on a system of law that is "fair" to you and to us. Thus, a Uniform Civil Code is bedrock for secularism and is must for secular values.

Civil code means a group of laws regulating the property rights and personal matters like marriage, divorce, adoption, inheritance etc. In this context, in different religious communities of India different civil codes have been followed. As soon as the modernization of Indian society took place the demand of a civil code which is commonly applicable to all religions communities has emerged. In fact, the uniform civil code is being demanded with the logic that personal matters should be regulated through secular laws.

Article 44 of Indian Constitution states that state will encourage the formation of uniform civil code for the citizens of the whole of India. But, the directive principles are not legally enforceable so, this ideal has not been implemented. This has been a matter of debate. It is notable that in 1985, in Shahbano case, the Supreme Court had ordered to give the Muslim women the right to survive. But, a section of Muslim community took it to be the encroachment in their personal matters.

It is notable that Article 44 shows the secular nature of Indian constitution. Implementation of uniform civil code has been a big challenge before secularism.

2. POLITICS AND RELIGION

The biggest challenge before secularism can be considered to be religion based politics or communal politics. It is notable that the cause of India's partition was religion based politics. Political parties in order to get power have started to arouse the feeling of people on the basis of religion, language caste, region etc. There have been some incidents where political parties had important role in spreading communal riots. All these trends stopped the growth of non-religious or non-communal approach in the general elections of India. Along with this, it put a check on the process of national integration by encouraging the conflict between majority and minority. In the present phase of globalisation, identity based issues are more important and religious orthodoxy has swiftly increased. No satisfactory measures have been taken to stop this process on the political level.

3. CULTURAL SYMBOLS AND SECULARISM

Cultural symbols are the indicators of identity and exclusiveness of a religion but these symbols become a medium of proving one's religious superiority. It is believed that in the early phase of national movement, gap between the Hindu and Muslim community was widened due to the use of cultural symbols. During the Swadeshi movement, Ganesha Pooja, Kaali Pooja and Shivaji festival had given a religious flavour to the national movement. It is argued that though it had noble objectives yet somehow or the other it discouraged secularism.

After independence, the minority communities of India have kept on claiming that Hindu culture is being encouraged in the name of encouragement of Indian culture and values. Few states decided to make the singing of Vandematram, Soorya Namaskara etc part of curriculum. This is wrongly portrayed in the media as the psychological fear among the minority community.

Growing Sense of Exclusion among Minority Communities: In India, attempts were made to improve the standard of living of people belonging to all religious communities on the secular model. In spite of this, the incorporation of minority communities in the mainstream of society has still not reached the desired level. Religious minorities are lagging behind in socio-economic indicators and they are comparatively deprived and excluded in many parts of the country. This fact is approved by the report of Sachchar committee.

As long as the national movement faced the British, there was urgency in political discourse in constantly spelling, naming, and repeating the making of the nation. After independence, this urgency was allowed to lapse. Our leaders who inherited this nation failed to see a situation where later generations may take this nation for granted. The State with its elitist leaders failed to form a dialogue with various vernacular cultures (which was the case during the freedom struggle) to achieve this ideal of secularism. It remained aloof from the masses. Apart from this neglect, we are faced with contradictions

present in a liberal democratic systems like ours, where there is a great deal of uneven economic development. With this arose a feeling of injustice and deprivation which finds expression in various ways. Mobilising one's own community on religious and ethnic lines is very often the practice. The state political parties on the other hand address communities to gain support. This only reinforces the primordial identities of community and religion. And they know that the only way to bring about pressure on the authorities is to mobilise on criteria like language, ethnicity and religion. So, as we can see in a multi- religious, multi-ethnic country, secularism even with best intentions is difficult to achieve.

4. INTER-RELIGIOUS DOMINATION

In our own country, the Constitution declares that every Indian citizen has a right to live with freedom and dignity in any part of the country. Yet in reality, many forms of exclusion and discrimination continue to persist. Consider three most stark examples:

- ❖ More than 2,700 Sikhs were massacred in Delhi and many other parts of the country in 1984. The families of the victims feel that the guilty were not punished.
- ❖ Several thousands of Hindu Kashmiri pandits have been forced to leave their homes in the Kashmir valley; they have not been able to return to their homes for more than two decades.
- ❖ More than 1,000 persons, mostly Muslims, were massacred during the post-Godhra riots in Gujarat in 2002. The surviving members of many of these families could not go back to the villages in which they lived.

All this have to do with discrimination in one form or the other. In each case, members of one community are targeted and victimised on account of their religious identity. In other words, basic freedoms of a set of citizens are denied.



Summary

- The word 'secular' is derived from the Latin word 'saeculum' which means the present age or generation.
- Secularism is a belief that religion and religious bodies shouldn't have any role in political or civic affairs or in running public institutions.

Characteristics of Secularization:

- Protection for both the believers and non-believers
- Religious freedom
- Democracy and fairness
- Equal access to public services
- Free speech and expression

Factors of Secularization:

- | | |
|-----------------|--------------------|
| - Science | - Modernism |
| - Internet | - Communism |
| - Individualism | - Multiculturalism |

Models of Secularism

1. Western Model:

- No policy of the state can have an exclusively religious rotational.
- The state cannot add any religious institution.
- No state support for religious reforms

2. Indian Model of Secularism:

- Idea of inter-religious equality is crucial.
- India secularism deals not only with the religious freedom of individuals but also with religious freedom of minority communities.

Secularism in India:

- The Indian intellectual elite of the 19th Century which was a creation of the British rule was naturally drawn towards secularism.
- The secular idea was adopted during the freedom struggle to unite the various communities against the colonial power.

Secular Ideals in the Constitution:

- The word 'secular' was included in the Preamble by the 42nd Amendment in 1976.
- No state religion
- Freedom of conscience under Article 25
- Freedom to manage religious affairs under Article 26
- Uniform Civil Code (Article 44)

Court Cases Related to Secularism:

- | | |
|--------------------------------------|--------------------------------|
| - M Ismail Faruqui vs Union of India | - S R Bommai vs Union of India |
| - Aruna Roy vs Union of India | |

Challenges for Secularization:

- | | |
|-------------------------------------|------------------------------|
| - Problem of the Uniform Civil Code | - Politics and religion |
| - Cultural symbols and secularism | - Inter-religious domination |